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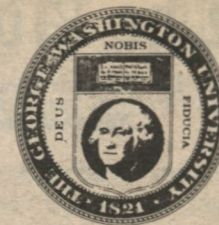
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The Advocate

THE STUDENT NEWSPAPER OF THE NATIONAL LAW CENTER
THE GEORGE WASHINGTON UNIVERSITY



Vol. 21. No. 11

Monday, February 26, 1990

Justice Kennedy Speaks

by Kirsten Hughes

On February 6, 1990 at 8:00 p.m., Justice Anthony Kennedy spoke to a standing room only crowd at the National Law Center as part of the Enrichment program.

Kennedy spoke primarily about what he has learned since beginning his tenure on the Supreme Court. After his talk, he took questions from the students and faculty.

Educated at Stanford University and Harvard Law School, Kennedy worked in private practice in California from 1961 until 1971. During this time, Kennedy also taught Constitutional Law at McGeorge University. In 1975, Kennedy was appointed to the 9th Circuit. Then, in 1988, he was appointed by Reagan to the Supreme Court following the controversial nomination of Robert Bork.

Kennedy began his speech by referring to an incident when he dressed up as James Madison for his Con Law class. He said he felt confident of his nomination to the Supreme Court because Reagan could not resist anybody who wore a wig and spoke with an Eighteenth Century accent!

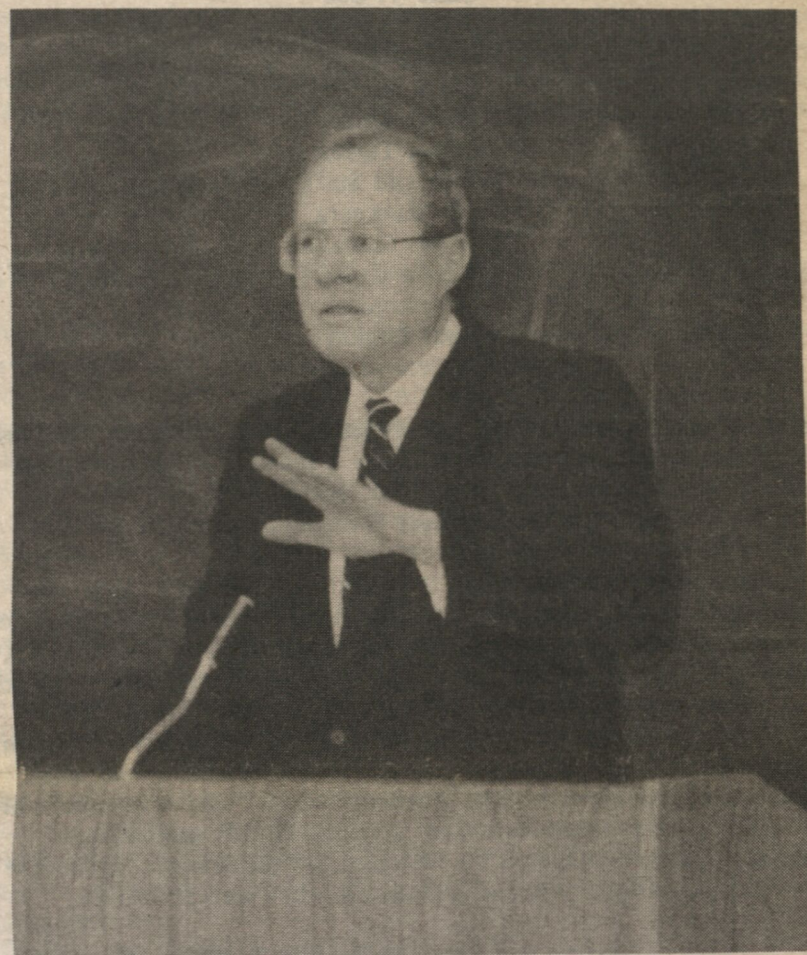
Before getting into the mechanics of the court, Kennedy

related some anecdotes about his short time on the Court, including a case last term where there was a 4-4 split. Since he is the junior justice, and thus votes first, he has only himself to convince.

According to Kennedy, the Supreme Court works just as the framers intended. The justices are deliberate, competitive, and committed to the job. Kennedy noted that the Chief Justice is very fair in assigning cases, although "some cases have junior justice written all over them".

With regard to oral arguments, Kennedy is generally disappointed in the quality of the arguments presented. Kennedy believes this is unfortunate since some of the justices change or make up their mind based on the oral arguments. Kennedy also feels that oral argument is a critical part of legal education. He encourages students to participate in class and to develop oral advocacy skills.

Before fielding questions from the audience, Kennedy briefly explained the certiorari policy the court uses. There is a "cert pool" which consists of 24 law clerks; Justices Brennan, Marshall, and Stevens do not



participate in the pool. The clerks review and summarize cert petitions which are assigned to them by computer in a random order. Each justice reviews the

summaries makes a determination as to whether review should be granted or denied. Kennedy firmly believes that the Supreme

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New Team Heads SBA

by Phillip Staub

Out with the old, in with the new: as of this past Friday, February 23, the SBA administration headed by Todd Baldwin was replaced with the new SBA administration elected February 7.



Jonathan B. Wilson

They are:

President: Jonathan Wilson

Vice-President: Julie Lee

Third Year Representatives:

Stephen Comstock

Reilly Dolan

Janette Dubin

Reid Gillispie

Second Year Representatives:

Sam Alberts

Luke Brown

Manny Jimenez

Cynthia Milone

Night Representatives:

Phyllis Andes (2L)

David Noss (2L)



Julie Y. Lee

Eric Johnson (3L)

Jim Wilson (3L)

What will this mean to the students of the NLC?

Since Wilson was an integral part of Baldwin's team, the expected answer would be "more

of the same." Although discussing priorities with these past and present leaders will reveal that answer to be largely true, there are a few policy changes ahead.

For example, there are differences on how to control the run-away tuition bills.

Wilson: "The University is pitifully run, they don't seem to know how much the law school costs." Wilson notes that tuition dependency -- the amount of the overall school budget that comes from tuition -- has been steadily rising over the past years. "In 1979 it was 66%, by last year it was 76%, and the estimate for next year is even higher: 78%"

Wilson believes that the long term solution to the problem is to change the contents of the University's investment portfolio. "The school's money is tied up in real estate. If instead there

were more short term investments, there would be more cash on hand for the here and now. No-one's ever made this argument."

Although Wilson has been working on this issue for two years and admits to no significant change, he plans to "get to sympathetic trustees. They're out there, we just need to get them on our side." He plans a mailing in the near future.

Baldwin: "John is our budget expert," says Baldwin, but adds that he would urge a different approach on how stem tuition increases. He points out that the current real estate investments are being paid off with short term mortgages. "That means that the current students not only pay off past debts and current expenses, but also contribute to future spending

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The Advocate

The Student Newspaper of the
National Law Center

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Spring Semester Publication Dates:

Monday, January 8
Monday, January 22
Monday, February 5
Monday, February 26
Monday, March 26
Monday, April 9

Top Ten

From the home office in Moorestown, New Jersey comes the top ten ways to put yourself out of contention for a position on the Supreme Court:

10. Kicked out of NLC for assaulting the little library guard.
9. Ninth grade episode with reefer madness.
8. Associated with the Wayne Arden administration.
7. Took bar review course at Fred's School of Bartending.
6. Didn't kiss up to the Moot Court Board liaison until after scoring was complete.
5. Inept at drawing "zone of interest" umbrella on Con Law exams.
4. Busy serving life term for possession of soda in library under Stockton recidivist statute.
3. Rule 11 sanctions for arguing Reagan is competent witness.
2. Open your own mail while serving on the bench in the South.
1. Knowledge of Constitution limited to 21st Amendment.

Letters to the Editor

Vote in GWUSA Election

To the Editor:

As some of you may be aware (and I hope it is indeed many, despite the poor state of communications between this School and this University), there will be an election at the Law School for law school and at-large positions on the George Washington University Student Assembly. The dates for this election are the 27th and 28th of this month [Tuesday and Wednesday on the 1st floor]. For those of you who respond "So what?" I remind you that the Assembly controls the expenditure of YOUR MONEY for campus-wide activities, quality of life, portions of S.B.A. funding and, most importantly in my opinion, the integration of the National Law Center and this Student Body into a cohesive George Washington University. It is through University government that the N.L.C. Student Body has the most effective opportunity to express its opinions about such things as tuition, the campus-wide academic code, funding to the S.B.A. and, as is so often the case with student governments around the world, our opinions about more worldly matters such as personalities, politics, and our rights and our role as a generation assuming its place in the national and international hierarchy. Once again we are attempting to place law students in the key University-wide positions. First Years/G.W.U. alums Keith Petigrew and Dave Parker are respectively running for President and Executive Vice President of the GWUSA and others are running for the two seats on the Senate we are entitled to as a School and for the two seats we are entitled to vote for as a school within the whole graduate community.

I implore you, rather than sit back and complain, take part. Vote. Support Keith and Dave for their positions both in the general election and any likely runoff. Choose wisely among the candidates for the Senate spots. And no matter which candidates are victorious, whether law students are non-law students, stay in touch with your representatives involved in University and S.B.A. affairs. This is your government and it only works when you take part. To twist an old saying, "If you can't stand the kitchen go in and turn up the heat."

-Mitchell Mackler
2L Day

Domino's ... Again.

To The Editor:

In reference to my letter in the last issue objecting to *The Advocate's* use of Domino's Pizza as a prize, the staff's response that they were not making a conscious political choice missed the point. The information given as to owner Monaghan's contributions to the "Right to Life" movement was erroneous.

Pro-choice groups organized a national boycott of Domino's to protest such management activities as:

- donation of \$100,000 to the Committee to End Tax-Funded Abortions in Michigan in 1988. Medicaid-funded abortions are now illegal in that state,

- support for the Michigan affiliates of Operation Rescue, a group that terrorizes women entering abortion clinics,

- hosting numerous fundraisers for Right to Life of Michigan at Domino's Farms and cancelling a National Organization for Women (NOW) pro-choice fundraiser that had been scheduled there. As a result, NOW has filed a Complaint with the Michigan Civil Rights Department charging Domino's with religious discrimination in violation of the Michigan Civil Rights Act.

The Advocate's decision to promote Domino's in the face of this boycott was a political act—whether done consciously or out of ignorance. I simply wanted to call the meaning of your actions to your attention.

- Catherine Chaney, Co-Chair,
L.A.W.

[Editor's Note: *The Advocate* stands by its former response.]

Administration Responds

To the Editor:

Normally I would take the position attributed by Frank B. Carpenter to President Abraham Lincoln:

"If I were to try to read, much less answer, all the attacks made on me, this shop might as well be closed for any other business. I do the very best I know -- the very best I can; and I mean to keep doing so until the end. If the end brings me out all right,

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Editorials

Still No Grades...

Today is February 26, over two months since the last fall semester final exam. Professors Nolan and Wilmarth have yet to turn in their grades. This clear disregard for responsibility is unexcusable and should not be taken lightly. Both professors are up for tenure this year, and hopefully the administration will take this into account when weighing the tenure decisions.

Both Nolan and Wilmarth have offered the excuse that they have been busy writing law review articles, and thus could not find time to grade their classes' exams. While one might sympathize with their plight, it is unfathomable that neither professor could set aside a day or two for grading - or even less, since at least Professor Nolan's exam was partially multiple choice, and thus computer graded. No one believes that every second of every day since exams ended on December 15 was spent slaving over a law review article.

The lack of Professor Nolan's grades is especially egregious, in light of the fact that the very class which she has been neglecting is entitled "Professional Responsibility." In addition, her negligence has a severe effect on third year students who are attempting to plan their MPRE and bar exams. Some states require a grade of "C" in professional responsibility in order to be admitted to the bar without taking the MPRE exam. The last MPRE exam before the bar exam is in three weeks, and the deadline for applications was February 16. Late applications, with a late fee of fifty dollars added to the twenty-five dollar registration fee, will be accepted up until March 7. Will Professor Nolan's students have their grades by then?

When she finally gets around to grading her class's exams, perhaps Professor Nolan will be rather lenient in light of the fact that professional responsibility is a required course, and a failing grade received by a third-year will preclude that student from graduating in May. Had Professor Nolan's grades been submitted by her scheduled deadline, any failing third-year would have been able to drop/add, retake the class, and perhaps graduate as scheduled. Even if the administration bent the rules and allowed such a student to drop/add at this late date, what is the chance that a student dumped into a class in March will pass the class?

While we all realize the realities of time pressures in our busy lives, Professors Wilmarth and Nolan have crossed the line from excusable delay to outright neglect. If a student blatantly disregards a deadline for the submission of a research paper, the professor might allow him/her a few days or a week "lag time." If the student failed to produce the paper after a few weeks or a month, the professor would give him/her a failing grade for the course. The only way the students can grade the professors is by our input in the tenure decision. The tenure committee should note that the students give Professors Wilmarth and Nolan failing grades in professional responsibility.

Food Drive A Success

The NLC community and the SBA deserves congratulations for their enthusiastic effort to help curb hunger in the nation's capital. During the past two weeks, often at the behest of the professors, NLC students and faculty donated canned goods and money to benefit the homeless and poor who live in our community. The effort resulted in a collection of approximately 250 pounds of canned goods, which were delivered to area food kitchens. One of the kitchen coordinators estimated that the food given by the NLC would satisfy the kitchen's needs for several months. In addition to the canned goods, two professors matched the efforts of their students with a cash donation for each can collected, resulting in a donation of over \$100 to Miriam's Kitchen. This great public effort just goes to show what good we can do when we learn to take ourselves a little less seriously. Way to go, NLC!

Past SBA Administration Reviewed

Now that the new SBA administration has officially taken office, let's review the progress of the past administration.

No one can doubt that the SBA's image has improved since the previous administration. Homecoming was generally a success this year, with much of the credit due to Sharon Cohen's hard work and enthusiasm. The fact that few students participated in float-building and the football game, after all, is the students' own fault.

As would be expected of any organization, not all of the SBA's operations were successful. In an attempt to produce student directories cheaply, an SBA member's initially naive and later imprudent decision resulted in students waiting until the spring semester to have a current directory. At least students did not have to pay for the directories - an improvement over past years.

The service for which the SBA was most visible and, perhaps, most proud of - doughnuts and coffee - fell apart during the fall semester, and the SBA is only now rebuilding its available cash fund to reinstate the service. Hopefully this will be a top priority of the new SBA, since many students have come to rely on this service. (More information on the reasons behind the stoppage in service will follow in the next Advocate).

Overall, the Baldwin Administration reversed a good deal of the damage caused by the previous administration. Unfortunately, their most impressive and effective improvements occurred "behind the scenes", and therefore most students remained unaware of them. The Wilson Administration has already displayed an eagerness to keep the overall student population better informed. Let's hope that they continue in this progressive vein.

Who Knows and Who Cares

Donuts and Urinals

by David Koman
and Mark Spring

Hi!, many of you have been asking me why I haven't written this column for so long. Well, there is no answer. This week is a collaboration between Mark Spring, who you normally read on the sports page, and myself, who you normally don't read at all.

Lets first hear from Mark: Last semester I used to wake up at 8:00 for my 9:10 class. This semester I wake up at 7:55. Is it because the Metro changed its schedule? No. Is it because my car won't start in the winter? No. It's because I have to make my own breakfast this semester. Last semester I could rush out of my house, grab 3 quarters and know that there would be 3 jelly donuts waiting for me on the

third floor at 9:05. This semester I have to make my own breakfast and I'm not happy about it. Will someone please tell me what happened to the damn donuts!!

My turn: The last time I wrote this column I mentioned the bathrooms or lack of them in this law school. Believe it or not this is still a hot topic. Either that or I suffer from some type of fixation. As part of a one credit research project under the guidance of Professor John Banzhaf, I have determined where all the bathrooms are in the NLC. Believe me, this was only accomplished through extensive research.

There is a mens bathroom located near the H Street side door entrance, right near the Moot Court Room. This is the

bathroom reserved for D.C.'s homeless. I guess nobody can say the NLC doesn't believe in pro bono. The corresponding womens bathroom is located near the other entrance to the Moot Court Room. If you don't know where the Moot Court Room is, stop reading. You should know that the mens bathroom has only one handicapped toilet, one small urinal and only two regular urinals. The womens room has exactly three toilets in it. If those bathrooms are in use, take a stroll down the hall, passing the empty bulletin boards where Professors Nolan's and Wilmarth's grades should be, and enter Burns Library.

You have two choices. You can take the elevator up to the second floor, or down to LL1. If you go upstairs via elevator,

when you get out, take a right-hand turn and then your first immediate left. If you come across the copy room, you have gone too far. Surprisingly, both mens and womens bathrooms are located next to each other. There are only two toilets in the womens bathroom and three regular urinals and one handicapped toilet and one regular toilet in the mens bathroom. At this time it should be noted that although there is a towel dispenser in the mens second floor bathroom, there are never any towels in it. Upon researching the situation, I noticed that the towel dispenser is stuffed with . . . SOAP. There are two blowers, however, but if you wear contacts and you want to wash your face, beware of the blowers. If you don't like
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Letters To The Editor

Letters (Con't)

From Page 2

what is said against me won't amount to anything. If the end brings me out wrong, ten angels swearing I was right would make no difference."

* The article ["Death of a Food Cart," *The Advocate*, January 22, 1990] has a lot of factual material included in it and certainly the conclusion that the result is due to bureaucratic administrative decision could be correct. But let's dig a little bit further. Let me present this issue from the eyes of the "bureaucracy" if you will.

When this matter was brought to my attention, the question was "would it be possible to put a food cart over there and serve sandwiches off the food cart." And the answer was yes, if it could be done without undue expenditure of monies and on a trial basis to see what the usage was.

When this project came into full bloom, it was not a cart serving sandwiches at lunch. Instead it became a full blown lunch counter with refrigeration, sinks, food storage, etc., operating from 11:00 AM to 7:00 PM or thereabouts. In my opinion, and again I have to stress that it's my opinion, it makes makes [sic] little sense on a campus that is roughly four blocks by four blocks to keep installing separate feeding facilities across the campus. We have a goodly number now. We have food facilities at Mitchell and Thurston Halls, we have a number of facilities in the University-owned building at 2000 Pennsylvania Avenue, we have at least six feeding operations in the Marvin Center, and we have a cafeteria in the Hospital. All of these are within what I would deem easy walking distance (you might almost say spitting distance) from the Law Center.

For many years we have resisted the proliferation of additional feeding operations for a number of sound reasons. One, we're very tight on space on this campus. Two, the cost of preparing food in central facilities vis a vis preparing it in outlying facilities is not always an economic choice. Three, maintaining health and sanitation becomes more difficult with a proliferation of food preparation and storage facilities.

When it became apparent that

what was really desired was a sandwich making -- not dispensing operation at the Law Center, it began to look more and more doubtful in the eyes of the administration that this was a wise move, for all the reasons mentioned above.

The assumption, in the article's postscript, that "It's too bad that university bureaucracy gets in the way of projects that would benefit the students," is unfortunate. The University has demonstrated time and time again its interest in its student body through the provision of new facilities and new programs that attempt to provide the best environment that we can for our student body. To make an allegation that we don't care is to fly in the face of the facts. In the past twenty years, the Law School students have benefited from major construction of new facilities -- an investment in excess of \$25,000,000. by the University for Law School facilities alone.

Charles E. Diehl
Vice President and Treasurer

Insensitive or Ethnocentric?

To The Editor:

Yaniuri Shimbun, not *Uoniuri Shimbun* ("Banzhaf In The News", *The Advocate*, 2/5/90). Don't you people check your facts? It sounds like the professor's uncredited publicist merely tried to sound out what she or he overheard. The writer should neither be so careless nor cavalier with another country's leading newspaper. Errors like this make *The Advocate* look, at the very least, amateurish, and at the very worst insensitive and ethnocentric.

- Larry Levine, 1L

[Editors Note: *The Advocate* regrets the error. However, you bring up a good point. *The Advocate* is not a professional newspaper. It is a school newspaper published by a group of hard-working law students who are doing it for hobby and recreation. If this constitutes "amateurism", so be it. We apologize to anyone who was truly offended by the mistake.]

Vote Pettigrew

To the Law School:

[Editor's Note: Mr. Pettigrew is currently running for the position of President in the upcoming G.W.U. Student Association election.]

One of my key themes is the accountability of the administration to the student community and the responsibility of the Student Association to hold the administration to this accountability. The graduate students have been minimally and tokenly addressed, yet it constitutes about 55% of the student body. I've heard two options in regard to this. One is to form a separate graduate student association. The other, more realistic one, is to elect a leader who will incorporate graduate concerns and initiatives on his agenda.

As a GWU Master's [degree] recipient and a current law student, I believe that my

election as the first graduate student president will mark a symbolic and realistic first step for the ostracized majority on campus. Some say that there are moats around the medical, engineering, arts & sciences, business, and law schools. By seriously including the members of these graduate programs in brainstorming solutions to campus-wide problems, we won't just build bridges: WE ARE GOING TO FILL IN THE MOATS!! There is strength in numbers, too, and I believe that potential networks of graduate and undergraduate campus leaders can truly generate enough energy to creatively lobby, coordinate, cooperate, and invigorate solutions to the perennial, run-of-the-mill, and crucial campus issues. This year's campus is not focused on the issues but on process and teamwork -- real, not token or shallow. With five years of street smarts on this campus, I can make this process work. We can all make it work!

-Keith Pettigrew, 1L

SBA (Con't)

From Page 1

since part of our tuition goes toward these mortgage payments," Baldwin, therefore, urges the opposite direction than Wilson: "We need to increase the investments terms in order to lower the payments." He also thinks that money is well spent on real estate ventures. "But the war chest being built through them is saddled on the current students' backs."

The philosophy behind building a war chest concerns both presidents. To change the school administration's approach to building reserves, they see hope in greater involvement with the undergraduate student government (the "SA") and its Budget Advisory Team (BAT). Where Baldwin and Wilson differ is what the goals are once NLC representatives have this influence.

Wilson: "The first step to greater law student involvement is a general attitude of respect for the SA." Wilson points out that on February 15, when 35 law students showed up at the Joint Election Committee's meeting to discuss reopening the senate race signups, "they missed LA Law to do it. That's big around here. And we got results. The JEC broke a hard and fast rule by allowing the elections to be reopened for a short period. That was a tough decision for them to make."

Wilson also sees the right road

being taken by the law students running for five SA positions. "Getting those offices would only be for starters; appointments of law students to various committee positions would flow out of that. This representation is the contact needed to foster better relations and to increase political representation, which translates into more money for us."

About the BAT specifically: "There are two student positions available. We've held one before, we'd like to have it again for this year. Although the advisory teams' impact on tuition is minimal, it's the strongest voice we have."

Baldwin: "The problem with the BAT is that it can only advise. Students should be on a committee that has some form of actual approval/disapproval powers. King John [Trachtenberg, GWU's President] should sign the Magna Carta and give some power to the students. This school is in the dark ages as far as student voice goes."

Wilson: "There are plenty of schools that give students voting privileges on the Board of Trustees."

But Wilson and Baldwin agree on more issues than they differ on. Like loan forgiveness. Both foresee a pilot program operating by the end of the next school year. To that end, Wilson has appointed Paul Bieri Vice President for Public Interest, a new position created for this and other concerns.



Life In Weicker's World

Adventures In Constitutional Law

by Gary Greenbaum

After his defeat to Joseph Lieberman in November 1988, Lowell Weicker took a one-year job lecturing at George Washington University's National Law Center. A three-term Senator from Connecticut, Weicker terms himself a Republican, though he worked closely with Jimmy Carter to ratify the Panama Canal Treaty, and was an early and unyielding opponent to Judge Robert Bork.

When registering for my third-year classes last March, I noticed that Weicker's seminar in Modern Constitutional Law was available by lottery, and I put my name down. When my name was posted, I quickly rearranged my schedule to fit the class in, though I'm an MBA and intend to be a specialist in corporate law. The former Senator was easily the most prominent figure I had had the chance to study with. Even though I disagreed with many of his views, I welcomed the opportunity.

On the first Wednesday of the term, I walked into the classroom to find a portly, gray-haired gentleman sitting on a desk, shaking hands and chatting with a few of my classmates. I didn't need C-SPAN to know that his was ex-Senator Weicker.

Weicker turned out to be a charming conversationalist—hardly surprising in one who spent twenty years in the Congress. He proved to have other Congressional qualities as well. After a few introductory remarks, mostly dealing with his horrible performance in Constitutional Law at the University of Virginia, he read a scene from the play, *A Man For All Seasons*, and then proceeded, over the next two weeks, to screen the movie for us, in class. This procedure gave him an opportunity to show two qualities common in the Congress—histrionics and a willingness to spend other people's money. It costs a law student about \$40 to attend an hour of class, and with twenty-five students watching a two hour film, about \$2,000 was expended. If we had been able to gather outside of class to view the film, or merely rent it individually, the cost would have been at most \$2.50 per person, plus tax, not including the cost

of popcorn.

Weicker made his rather expensive point that we have a government of laws, not of men. He appeared to identify closely with Sir Thomas More. No doubt he identifies the voters of Connecticut with King Henry VIII, or possibly he reserves that honor for William F. Buckley, who endorsed Weicker's Democratic opponent.

Lowell Weicker has always been noted for speaking his mind, and an election defeat has not changed him in that respect. If anything, he is more outspoken now that he need not worry about the voters. Not that that ever stopped him. Weicker told us, with some pride, that each time he appeared on *Meet the Press* or *Face the Nation*, the Capitol switchboard would light up with calls from angry Nutmeg Staters.

In the classroom, though, Weicker had a few things to say which he probably would not have said on the floor of the Senate. For example, he communicated his view that Oliver North trampled all over the Constitution, and gave us to understand that President Reagan did more damage to that document than any President in history. I don't doubt that Weicker made allowances for Reagan's mental competency, as the ex-Senator expressed the view that "Ronald Reagan's elevator did not go all the way to the top story." He is no more happy with George Bush, expressing "great disappointment" in his fellow Yalie, and saying that he is "absolutely appalled" with the President's policies.

Of his former colleagues, Weicker has reserved the most vitriol for Jesse Helms. He began by expressing great friendship and respect for Senator Helms, but several phrases about "friends like these" and "damning with faint praise" soon came to my mind. Weicker attacked Helms in class on almost every issue, from "art" to flag-burning to school prayer. My conclusion is that Weicker is angry that Helms, possessing views which Weicker detests, remains in the Senate while Weicker seeks converts among the younger generation.

Weicker has strong views on War Powers, feeling that

Congress should be consulted before the President lifts a finger against a foreign foe. In response to student questions about how to avoid leaks, which would allow our enemies to find out our plans on CNN, Weicker made the rather weak point that the Executive leaks too.

During our "discussion" on War Powers, Weicker read out, verbatim, an article by the late Senator Jacob Javits (another rejected liberal Republican, this one from New York). Another \$1,000 of student time, down the drain. Apparently he didn't realize that illiteracy is not a problem at this law school. We could easily have read the article outside of class and spent the time more usefully in discussion. After a welcome mid-class break, he then began reading from an article allegedly written by Joe Biden. When students questioned the value of such an article, Weicker became upset and questioned our right to make such a judgment. Senatorial courtesy, I imagine.

Opinion

One advantage of having a former Senator as a professor is that he has connections. During our discussion of the school prayer issue, we were treated to a visit from Senator Orrin Hatch (R-Utah). Weicker later mentioned that Hatch had had concerns about addressing a presumably liberal law school audience. Hatch would find, though, that GW is conservative as law schools go, being home to such conservative advocates as Professor John Banzhaf, who recently filed charges against Barney Frank, and who is noted as an anti-smoking activist. Since Weicker had other commitments for the first hour of the two-hour class, we were treated to a full view of Senator Hatch's thought on the issue. Weicker actually came in twenty minutes before Hatch concluded, took a seat, and spent the remainder of that time visibly straining at the leash. Almost as soon as Senator Hatch departed to the class's applause, we were subjected to a lengthy and emotional rebuttal by Weicker.

One disadvantage of having a former Senator as a professor is

that he's often unavailable for class. Twice, he's had to send a substitute for the first hour of class, once sending Hatch, and once John Buchanan, ex-Congressman and head of the liberal political group, People for the American Way. Once, he was totally unavailable, as he was serving on a U.N. group in Geneva devoted to discouraging commerce with South Africa. On his return, Weicker proudly told us that 90% of South African black leaders had been represented before the committee. Under student questioning, he admitted that no Zulu leader, representing a sizable proportion of the black community in South Africa, had appeared to support sanctions. In other words, 90% of the "leaders" - not 90% of the population.

Weicker often touched on his 1988 election defeat. He appears to blame the defeat on negative campaigning by his opponent. He has not, however, told us of any falsehoods spread by the Lieberman campaign. He seems to have mixed views on negative commercials, having made use of them himself for two weeks during the campaign. He seems a bit torn between principle and practicality, ends and means. He compared his own race with the gubernatorial race in Virginia, saying that there's been "more sh*t" in negative campaigning than in the "Dirty Tricks" part of Watergate.

In conclusion, my doubts about Weicker's Republicanism have been confirmed. I have no doubt that a search of the voter rolls in Greenwich would reveal him to be a registered Republican. The fact that he was, in his own words, "joyous" at the election of Wilder in Virginia, and "delighted" at the election of Dinkins in New York, because of their race, revealed to me the fact that he judged these elections on secondary characteristics. Republicans should be concerned with electing the best person for the job, rather than with "making history," or creating trivia questions for future generations. One would think that a Republican, especially a former Congressman, would be more concerned with the loss of two gubernatorial elections, in Virginia and New Jersey, just before Congressional reappointment.

[Reprinted from The Dartmouth Review, November 22, 1989.]

Perspective

Grades And The Good Humor Man

by Brian Chase

Which came first, the law professor or the law students? Did a bunch of law professors convene and decide that they could make money teaching students, and then seek out the students? Or, did a bunch of students get together, decide they could make money if they learned the law, and seek out professors?

Regardless of which came first in a historic sense, it is clear that at the National Law Center, the law professor is always first. The students place a distant third. (Law professors are so important, they assume first and second place.)

The debacle that spurred me to ponder these age old questions is, of course, the grading system. Not that the manner in which grades are determined is improper, but that so many grades have yet to be determined at all. Some grades aren't even due to

be posted until March! That's a quarter of a year after the exams were given!

Inevitably, the excuse offered is that professors are involved in other, presumably more important, endeavors. But how can they manage to end up with other obligations during the short period each year that grading needs to be done. Professors know ten years in advance that they'll be grading papers in May and December. I can tell them right now that in the year 2010, the same period of time will be needed to grade exams. Can't they plan other obligations around grading, if they know when grading will occur decades in advance? Who's the genius professor who scheduled his law review article to be due in January? Do ice cream vendors schedule their vacations in July? Surely law professors can learn to plan as well as ice cream vendors.

When will law professors realize that their primary obligation is to their students, without whom they would be stuck practicing law? This time of year is critical to most students. Personally, I have prospective employers waiting to see what my grades are. What can I tell them - "I'll let you know them whenever Professor 'X' is done writing his law review article?"

I realize grading is a chore, but it's not like they're doing it gratuitously. Maybe the grades would be posted sooner if the students didn't have to pay their tuition until after they were posted. At least, we shouldn't have to pay our tuition for the following semester until the previous semester's grades are posted.

The bottom line is, if the professors were told by the university that grades needed to be posted by January 15, one

month after exams end, every professor would find a way to do just that. But as things are now, professors just don't have any pressure to grade their exams by any deadline. The records office posts tenuous deadlines, but how many professor's meet those deadlines? One professor even crossed out his deadline and attached a note to the listing saying that the grades would not be out for at least another month - February 28! Give me a break. If I had as long to take the exams as the professors had to grade them, I might even get an "A" once in a while!

All I ask is for professors to be reasonable. Realize that students pay their salaries. Plan their 1995 law review articles to be due in April. That allows for a five year transition from law professor to ice cream vendor planning techniques. If the Good Humor man can get it right, why can't law professors?

Criminal Procedure: The View From the Witness Stand

by Shlomo Katz

Among the required courses that each student has taken (or will take) at this school is criminal procedure, that comparison between the Constitutional restraints on police work and the real-life escapades of the "Men (and Women) in Blue." The course is taught from different perspectives. My own professor was a "They-must-be-guilty-or-the-police-wouldn't-have-arrested-them" former prosecutor; some other professors are more defense-oriented.

However, most students never learn about an important third side to every criminal prosecution. I am talking about the witness' experience. There are undoubtedly many good reasons why this is left out of the casebook, not the least of which is the impracticability of finding real witnesses to interview or write about. Nevertheless, I know now that seeing the criminal-law from the witness' viewpoint, i.e. knowing first-hand the burdens that bear upon a witness to a crime, is a valuable, if unfortunate, experience. The purpose of this article is to share some of this new found knowledge with you.

[Before going any farther, I must note that the case presented here is still open, and, as such, any identifying features such as names, jurisdictions, dates, etc., have either been

changed or left out entirely. This may also have to do with a paranoid feeling about my own safety. More on that later.]

December, 1989

The snow had been falling heavily, and what better excuse to delay studying for finals than to go outside and clean the windshields of my car? I don't remember how long I had been outside when two men ran past me. Actually, they were jogging; a chase necessarily goes in slow motion when there are several inches of snow on the ground. The two men were separated by some distance, and the one in back was yelling, "Call the cops! Call the cops."

I almost ignored him. After all, I didn't know what the problem was. Perhaps it was a joke. Perhaps I had misunderstood. Perhaps ...

Looking back, he saw my hesitation. "Call the *&%\$*& cops!"

With trepidation, I went inside and dialed "911." "I don't know what this is all about," I began before describing what I had seen. I'm not sure how many times I repeated that phrase before the call ended. Perhaps my lawyer-instinct was preparing a defense to the charge of making a prank-call or a false report to the police.

That might have been the end of the story, but my car was still covered with snow. Soon, one of

the men returned. It was the apparent-"chasee," that is, the "alleged-criminal" that I had just reported. He seemed to be searching for something ... or someone. Was it me? Had he seen me? I was sure that right there, with my wife undoubtedly watching from the window, this man would now silence me forever. (You may think I'm crazy, but remember, I still didn't know what crime, if anything, this man had just committed. I also didn't know why I saw two men going behind the building, and only one coming back.)

Very scared, I slipped into my apartment and went to a window. The "suspect" was apparently looking for his car. As he pulled out of the parking space, I had a clear view of the license plate.

For a third time, I went outside (I think it was to throw out the trash). In front of the neighboring building was a police car. By now I knew that I was in this business for good, and I approached the police-officer to report all the information that I had.

That evening, talking to friends, I learned more about the crime, a burglary. The tenants had come home and surprised the burglar, and the chase which I saw then ensued. I also learned that another apartment in the neighborhood had recently been burgled using the same M.O. ... It was in the building that I had

lived in until six months before, perhaps in my old apartment.

Not long afterwards, I received an odd phone call. "Mr. Katz, this is Officer David. I responded to a call in your neighborhood recently, and interviewed you as a witness. Would you mind giving me your address again."

How on earth?! The burglar had found me!

"But I gave you my address when you interviewed me," I said.

"I lost it, and I have to write my report," he responded.

Collecting myself, I explained my doubts, and offered to call the officer back. He was very understanding when I told him that there was no need for him to give me his number - I would look in the phone book.

The operator at the precinct-house initially told me that Officer David was on the road, but when I explained the situation, she agreed to look for him at the station. He was there, and the crisis evaporated.

January, 1990

Winter break was great. The farthest thing from my mind was criminal procedure. But no sooner had the semester begun, when the police called again. This time it was a certain Detective O'Connor. A suspect was in

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Perspective

Witness (Con't)

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custody, and the detective wanted me to look at a photo-lineup.

The interview was held in an interrogation room on the third floor of the precinct-house. It was about the size of a library study-carrel, and had a metal table and two chairs. It was not much different from the room which I had seen in an interrogation video shown by my criminal procedure professor.

For those who don't know, a photo-lineup is a group of snapshots among which may, or maynot, be a picture of the individual that the police have arrested. The detective made it clear that there was not necessarily a picture of the suspect in the batch. That was for me to decide.

First, I was asked to read and sign a page of instructions. "Keep in mind," the paper said, "that characteristics such as clothing, glasses, and facial hair are easily changed. Focus on permanent facial features." I was then shown seven pictures.

As I looked through them one at a time, "Number 4" jumped out at me. However, I kept quiet. Firstly because it would be absurdly unfair to finger a suspect without even looking at the other candidates. (As the father of identical twins, I do not need to be told how similar two people can look.) But a second, and I must admit, disturbing motivation was present: What would I do for my credibility as a thoughtful witness if I picked out a suspect on the first try. Some would say that I was simply sure of myself, but others might justifiably suggest that I did not appreciate the seriousness of the matter.

After looking through the entire lineup three times and then laying the pictures on the table side-by-side, I had not changed my initial identification. Pushing "Number 4" towards Detective O'Connor, I said, "This one is closest."

He repeated and then wrote down my exact words. "This one is closest." Was the smile on his face real or did I imagine it?

As he escorted me out, Detective O'Connor said, "I wish I could tell you how you did, but I'm not allowed."

"I understand," I told him, "I'm in law school."

February, 1990

I was half way out the door at 7:30 AM on a Monday when the phone rang. "This is Detective O'Connor," the voice said. "I've

been trying to reach you all weekend. I need you to be at a line-up at six this evening."

Once again, my initial reaction was to try to escape involvement. I had already done my civic duty, and besides, at a real lineup, the defendant would see me. Then I'd really be in trouble. "I'm sorry," I said, "I have class until five." (I really do.)

"That's okay," he said. "Tell me where to pick you up." And so, we agreed that he would meet me at a mutually convenient subway station.

Not knowing what to expect, I was quite nervous. Surely, the "Confrontation Clause" of the Sixth Amendment required that the men in the line-up could see me, and even if they couldn't, I had never before been in a room full of criminals. A different type of worry was what my friends or acquaintances think if I was seen entering a police car.

There were two detectives in the car, "mine" and Detective Edwards who was taking another witness to look at a different line-up. Most of the conversation in the car was about income taxes and the best route from the subway garagation to the courthouse where the line-up was to be held. But at one point Detective Edwards turned to Detective O'Connor and said, "I think our prisoner is starting to hurt."

They really do that stuff, I thought to myself. They're torturing a suspect! Perhaps realizing the implication of his words, the detective explained that their prisoner was a heroin addict and, needless to say, was not being supplied with the drug while in detention. I wondered to myself whether the lure of a fix (or whatever the correct term is) was being used as a bargaining chip by the interrogators, but I thought better of asking.

The other passenger/witness in the car was a mugging victim. He had been returning home from a wedding, and his brand-new video camera was stolen. Fortunately, he wasn't hurt. During the evening, the subject of the recent McDonald's expansion into Moscow came up, and my fellow witness, a McDonald's employee, commented that his dream is to open such a franchise in his native (very poor) Third-world country. In some way, difficult to explain, this brought home to me the true tragedy of crime.

Eventually, we reached the courthouse. Detective Edwards looked for a vacant space in the

parking garage. (I said, "I thought the police can park anywhere." He said, "We used to, but now they give us tickets.") Then we went inside. Detective O'Connor took me and the other witness to wait in the State's Attorney's suite, while Detective Edwards went to check that the lineup was ready. There was talk between them of making sure that the suspects and the witnesses did not see each other: Was that to protect the integrity of the procedure or for the safety of the witnesses?

As we arrived, the staff of the prosecutor's office was slowly filtering out. However, as we sat in the reception area, I still managed to catch some interesting tidbits. In one corner, two people (attorneys? police officers?) were discussing the legality of arresting a reluctant witness. In another, a prosecutor was telling someone, "This guy has 102 counts of DWI (driving while intoxicated). Let's go for the death penalty." An interesting prospect, but probably not provided for in the state Code.

Finally, it was time. As I was escorted down in the elevator, Detective O'Connor explained the procedure to me. The suspects would not be able to see me, he said. When we arrived, he would say, "Mr. K., you witnessed a burglary on 'date x'," and I would then look at the line-up. I would be allowed to give the members of the lineup any instructions that I wished, for example, to face a certain direction, or to kneel in a particular way. I could identify a suspect, or decline to do so.

The array of people gathered in the small room was no less than intimidating. One, I assumed, was a prosecutor, although I didn't know who. I easily picked out the defense attorney. He stood alone where the others gathered in small groups. There was a cameraman and a sound technician whose job was to record this event for posterity (and presumably any challenge to its integrity). The identity of the other five-or-so people present escaped me.

I was immediately struck by the fact that I was in the same room as the lineup. I had expected that there were two rooms sharing a common wall in which was a one-way glass. In fact, the one room was divided down the middle by a row of partitions about seven or eight feet high, and set in one of them was a "window" only several

inches across. The detective did assure me that I could not be seen through it.

An "announcer" called, "Number one, step to the line." He did.

"Number Two," step to the line. He did, and number one returned to the side of the room. This was repeated as I saw each of the seven men in the lineup, and then a second time. Finally, the announcer said, "Number one, take the line across." At that, the seven men lined up along the wall facing me, and for the first time, I could see all of them.

There was quite a range of height and build, but not so disparate as to make one the obvious choice. Such a lineup would have difficulty passing Constitutional muster. I whispered to the detective at my side, "I'd like to see number five."

Someone intoned, "Number five, step to the line." He did, and the face I saw looked very familiar. I asked that he turn his back to me, that he turn to my right, and that he bend over as if inserting a key in the door of a car. All of these were positions in which I had seen the suspect. With each passing moment, I became more certain.

I whispered, "Number five."

"He said, 'Number five'," Detective O'Connor repeated.

"Have the witness speak into the microphone," a voice said and, suddenly shaking, I did.

Back in the reception area, waiting for the detective to complete some paper work, I wondered, "What if I picked the wrong guy? What if an innocent person goes to jail because of me?" It was small comfort that I would probably never know whether or not I had identified the right man.

When Detective O'Connor returned my first words were, "I'm sure that you're not allowed to tell me how I did."

"That's right," he said. "When they call you on the stand, they will ask you if I told you anything."

That got my mind working furiously. "When they call me on the stand." Was he trying to tell me something? On the other hand, even if I had picked-out the wrong man, I could still be called as a witness. I had seen the chase and I could identify the get-a-way car. There was certainly no doubt in my mind about the license plate number.

This reawakened another train of thought that had passed through my mind: Why was so

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Neighborhood Lawyer

Tenant's Rights In D.C.

by Susan Herlick

Being a Washington, D.C. resident isn't always easy. Taxes are high, streets are in decay, drug-related crime is on the increase, and our mayor was recently indicted on misdemeanor drug and felony charges.

There are some benefits, however, to being a District resident. One which I recently discovered and quickly took advantage of, is the rent control laws. Washington, D.C. is touted as having some of, if not the most, tenant protective rent control laws in the country. The current law, the Rental Emergency Housing Act, was passed in 1985. The relevant D.C. Code Sections are 45-2501 through 45-2594.

Chances are that if you rent an apartment in the District, it is subject to the rent control laws. The law regulates the maximum rent you may be charged and any subsequent increases. For example, landlords are permitted to take an annual increase of general applicability bases on a local consumer price index, which has averages between 4% and 4.5% annually. Landlords can also take increases for capital improvements or if there are certain hardship conditions. If your landlord has taken an increase and has failed to follow the procedure set forth in the law, you may have a cause of action.

I moved into my two-bedroom apartment in September 1986. The lease onto which I signed had been originally issued in 1981 - as one roommate moved out, the new one would sign her name to the old lease. When I moved in, my landlord informed my roommate and me in an informal note that the rent would be

raised \$25 as of October 1, 1986. I thought nothing of that, assuming it was to be expected since I was a new roommate. I did not know that the law required a 30 day notice and certain information reflecting current and increased rent ceiling to accompany that notice of rent increase.

I never received another rent increase. I knew that fellow tenants regularly had their rent increased by the legal percentage. Naturally, I never questioned my landlord's failure to raise my rent.

A new roommate moved into my unit in 1988. At that time, the landlord required me to pay an additional \$100 to bring the security deposit up to the amount of the current rent. I discovered later, according to the D.C. Municipal Regulations (14 D.C.M.R. is the housing code), that the security deposit cannot exceed the amount of the first full month's rent charged and can only be charged once. Still, as my rent was so low and there had been no increases, I didn't question the request for the increase in security deposit.

In early 1989, due to certain incidents in my building, I began to suspect my landlord's honesty. I decided to see whether he was following the rent control laws with regard to my apartment. I went to the Rental Accommodations and Conversion Division (RACD) located at 614 H Street, N.W., Room 402, to check my apartment building's file. If you live in a rent control apartment, your rent and subsequent increases must be documented by your landlord and placed on file with the Rental Accommodations and Conversion Division. The file is available to the public. (The hours vary, so call (727-

7315) before you go down. Be sure to bring quarters for their temperamental photocopy machine.)

The file contained very few documents pertaining to my apartment, but the ones which were there revealed that the landlord had violated the rent control laws with regard to my apartment since 1985. Evidently, the rent I had been paying since I moved in in 1986 exceeded the legal rent ceiling.

Tenants can bring an action against their landlord for violating rent control laws by filing a Tenant's Petition. I obtained a Petition form which is available at the RACD, and photocopied all of the relevant documents out of my file. There were only two documents pertaining to my unit - the form establishing the 1985 base rent of \$450, and a 1989 document alleging a rent increase to an amount lower than any rent I had ever paid.

There is a three-year statute of limitations for filing a challenge to rent adjustments. If you can understand the law, a lawyer may not be necessary to bring a case, and many tenants represent themselves. My old roommate, who was living abroad, provided me with a letter allowing me to represent her in the hearing. I drafted a complaint, including exhibits and calculations of rent overpaid. My requested relief included reimbursement of overcharged rent (or treble the amount, pursuant to a provision for treble damages if the landlord acts in bad faith), a rollback to the legal rent ceiling, and a return of the overcharged security deposit. Though the security deposit issue didn't seem to be governed by the rent control laws, I included it in the complaint as leverage

for possible settlement discussions.

I filed the petition at the end of August, 1989. In November, I received notice that the hearing was scheduled for the end of January, 1990. The procedure does not involve a trial, but rather a hearing before an examiner. The landlord has the burden of proof. The process is administered by the D.C. Department of Consumer and Regulatory Affairs.

A few weeks after I received notice of the hearing, a letter arrived from my landlord's lawyer suggesting we discuss settlement. We spoke on the phone a few times and she made an offer which I felt was reasonable. My landlord was apparently unable to meet his burden to prove that he had legally raised my rent from the \$450 base rent in 1985 to the present rent ceiling. We calculated the amount of rent overpaid assuming that the rent charged should have only been \$450/month, and we negotiated a rent rollback. The overcharged security deposit amount was also returned. We submitted the settlement agreement to the Rental Housing Commission and the petition should be dismissed with prejudice.

The beauty of landlord/tenant cases, when you are the tenant, is that the landlord has the burden of proof and the process is document-based. If the documents aren't in the file supporting your present rent and the landlord doesn't have copies of them in his/her possession, you have a very good case. Landlords are notorious for taking advantage of tenants. Tenants have a lot of rights in this city, and it is well worth your time to exercise them.

Witness (Con't)

From Page 7

much police effort devoted to a small time burglar? Why didn't he just plead or bargain? Was he really innocent, or was there more at stake than I knew? Was the car itself stolen? Did the crime have some violent aspect of which I was unaware?

The other witness viewed his lineup, and then we were back in the car. He had not identified anyone; the mugger had been wearing a ski mask. I was still nagged by my thoughts.

Riding home, I asked how a police officer becomes a detec-

tive. Along the way, this elicited a comment that being a detective had a down side: Patrol officers at least get a car to take home.

For some time since the lineup, Detective Edwards had been fingering a watch. At first, I was unaware of its origin, but it was to play an important role in calming at least some of my fears. Calling the police dispatcher, Edwards said, "This is 383. Ask Henderson if he left his watch in the men's room."

Henderson was hailed, and his response came back, "I was

holding it for Pitt."

After expressing amusement at Henderson's responsibility, one of the detectives asked, "Is Pitt working today?"

"I don't know," the other said, "but he was in the line-up."

"You mean they're all police officers!" I blurted out excitedly, realizing that the man I picked would not innocently go to jail.

"All but one," Detective Edwards responded, unaware of the great load just lifted off my chest.

My question reminded him of

another lineup that he had recently held. The witness was an old lady, and she correctly identified the suspect. However, not content at that, she added, "But I want you to know, they all look like scoundrels and they should be ashamed of themselves."

We laughed briefly, thinking of what defense counsel could do with that witness at trial, and before I knew it, I was home.

"I'll be in touch," the detective said as I left the car. Whatever did he mean by that?

Law School News

Kennedy (Con't)

From Page 1

Court should review certiorari petitions, rather than an intermediate level court, as has been suggested in the past to further judicial efficiency. He cites two reasons for this conviction: first, it is extremely critical for the Court to be aware of the issues out in the American Legal System, and, secondly, reading a multitude of cert petitions affects one's approach to a case over time.

Sanford Greenberg, Editor-in-Chief of *Law Review*, began the question-answer session by asking Kennedy how his role as a Supreme Court justice was different from his previous role as a Circuit Court justice. Kennedy replied that as a Supreme Court justice, he is better able to perceive the problems of the legal system as a whole. A federal circuit judge has a much more limited perspective of the system.

The next question asked dealt with the issue of judicial recusal -- did Kennedy feel recusal was

too common an occurrence? Kennedy indicated that there are Congressional statutes which mandate recusal in many circumstances. With regard to this, Kennedy noted that the Court is concerned with the manipulative possibilities presented by mandatory recusal. For instance, would religion be a valid reason for recusal? Kennedy replied that the rule is if a justice feels he or she is so committed to a cause that he or she cannot be fair, then there must be voluntary recusal. Kennedy did acknowledge, however, that part of being a judge is sifting through the biases and prejudices on has.

Another student questioned Kennedy with regard to the Court's recent death penalty cases, decided this past summer. Kennedy said he would let the opinions speak for themselves as to the specifics. He did note that the Court spends about 20-25% of its energies on death penalty cases.

When asked about cameras in the courtroom, Kennedy replied that he was against it personally.

While he could see valid arguments in support of this proposition, these benefits were outweighed by his concern about the negative effect it might have on the dynamics of oral argument. He felt attorneys might cater to the cameras instead of focussing on the jury.

Several more questions followed, dealing with the Court's caseload, the deliberative process, and Kennedy's feelings about the War on Drugs. Lee Weingart concluded the session by asking Kennedy if the antagonism reflected in the Court's opinions spills over into the justices' personal relations with each other. Kennedy's answer was an emphatic "NO!" He said this idea was encouraged by the publication of Bob Woodward's *The Brethren*. Kennedy personally believes the book was poorly written, historically inaccurate, and simply not a good book. He stated that the author got most of his information from young law clerks who could not distinguish professional antagonism from private antagonism.

In closing, Kennedy emphasized

that the 200 year history of the U.S. Constitution is truly remarkable. He believes we can now see the intentions and purpose of the framers with greater clarity, free from partisan overtones. There must be, asserted Kennedy, a link between the purpose of the framers and the doctrines that the Court espouses today. He feels that the framers stated certain principles from which one can make important contributions to the ongoing interpretation of the Constitution.

Kennedy hopes law students will take every opportunity available to understand the law and the social system. With these remarks, Kennedy concluded his talk to a standing ovation. Afterwards Justice Kennedy remained and spoke with several students and faculty. I joined this group, introduced myself, and found him to be very approachable and interested in hearing what the students had to say. Justice Kennedy is indeed a credit to the American Legal System.

Kopylov on Soviet "Law"

by Lourdes Gonzales

Mikhail Kopylov, Soviet Professor of International Law at Harvard University, spoke at a lecture hosted by the International Law Society on January 7. Kopylov discussed the education of lawyers in the U.S.S.R. as well as recent constitutional changes in that country.

Kopylov drew from his experiences studying at Friendship University in Moscow, a 30-year old university representing students from 107 countries of the developing world and the U.S.S.R.

According to Kopylov, the Faculty of Economics and Law within the University trains 80-90 future lawyers yearly. Law students must first pass a basic education portion of legal studies after which they can choose one of four specialties: criminal law and procedure, labor and family law, international law, or civil law. A new two-stage system of education has been implemented where the students can get their bachelor of law in three and one-half years and a master of law in two more years. Before the change, completion of the program in one step resulted in an LL.M.

Students obtain practical

experience in either a legal or an academic institution during their fifth year, Kopylov explained. They must also prepare a thesis and defend it before the State Committee as well as pass three exams. If they succeed, they receive an LL.M. Afterwards, the most outstanding students can continue their education for three more years to receive a Ph.D. Those who choose to go out on the job market usually find work in the different ministries or the Supreme Soviet, where 65% of the delegates are lawyers.

Unfortunately, many Soviet citizens are not accustomed to the use of legal services, Kopylov pointed out. Many do not know where to go to defend their rights or use advocates to defend their rights in court. Similarly, even many enterprises do not know how to use legal services to defend their rights. The U.S.S.R. does not have the law of precedents used in U.S. courts. Each time a case comes up, the courts must deal with it separately.

Kopylov also discussed the most important recent constitutional changes in the U.S.S.R. Kopylov finds that the most important question being discussed today is Article 6 of the Soviet Constitu-

tion and the different articles of the republics' constitutions.

Kopylov explained that Article 6 establishes the Communist party as the leading political force in Soviet society. Thus, the role of the Communist party is established in the fundamental law of the U.S.S.R.

Last year, Kopylov said the idea of abolishing the leading role of the Communist party came of age, especially in the Baltic Republics. Lithuania and Latvia adopted changes in their constitutions so that their respective articles state that the Communist party of Lithuania and Latvia will participate on an equal basis with other political organizations in the construction of the political life of the republics. This may lead to a multiparty system in the republics and also invalidated the legal grounds for the Communist party to be unique and leading party in these republics, Kopylov remarked.

Kopylov said that the question of property rights is another important debate occurring in the U.S.S.R. Kopylov believes that the U.S.S.R. will eventually be a market system economy because 70 years of Communist rule has shown that the economy cannot survive under the present system.

Kopylov added that there are currently several draft legal acts discussing the division of property rights into private, collective, and state property. Kopylov does not think that state property rights should be abolished at all because too many spheres cannot develop without state property. However, agriculture and some industrial branches have shown that they cannot develop under the state property system in place today. Similarly, about 100 enterprises operating on the basis of collective property have been reasonably successful.

Kopylov concluded that the Constitution in place since 1977 has many shortcomings including occasional contradictions with international obligations taken by the U.S.S.R. Kopylov used the example of a proposed law to take effect this spring governing the rights of every Soviet citizen to leave and return freely from abroad without changing citizenship. This law was written into the Helsinki Final Act of 1975. Thus, the new Soviet law would lead to changes in the constitution so that domestic legislation will be in conformity with international obligations in Helsinki.

SBA News

Inside Scoop

by Jonathan B. Wilson

It has become a tradition for SBA Presidents to have a column in *The Advocate* and I'm not one to mess with something that works. That has been the philosophy I've taken to this, first ever, transition period from the outgoing administration to the new. Where things have worked I have tried to congratulate those responsible and encourage them to keep up the effort. It is in those areas where things have not worked that I have had to roll up my sleeves. But first, some background.

Thank you all very much. I was both overjoyed and flattered by the outcome of the election and by the warm congratulations I received from so many of you. I hate elections. They make you feel like you're being judged and the worth of your whole existence depends upon the outcome of the vote for its validity. I've never won a big election before, but thanks again to those who made it possible. I would especially like to thank Rita Cortes, my campaign manager and confidant whose advice and counsel were especially valuable. I would also like to extend my congratulations to the New Board which was elected two weeks ago. I was very happy to see the enthusiasm of the new members, bolstered by the experience of the old. This should make for a strong combination. I would also like to congratulate Julie Lee, our new Vice President. She has already proven herself to be a very dedicated and capable representative. I am confident our partnership will be a cooperative and successful one.

By way of orientation, the SBA Constitution was amended by the old board in late January to provide that the term of the President continue until Noon of the third Friday in February. The period following the election was intended to be used as a transition, for the orientation and education of the incoming executives, elected representatives, and appointees. While there were some complications we had not completely foreseen when we made the amendments, overall the change was a success and enabled the outgoing administration to finish many of the projects which were underway at the time of the election.

Although much of the time I have spent over the past two and one-half weeks since the election

has been devoted to learning the ropes of my new job, I have also spent considerable time recruiting the best people I could find for the many important appointments I had to make. So far that process has been a success. While all the positions have not yet been filled (and I would encourage any interested students to drop by the office), there are a few which I should mention here.

Paul Bieri will be the Vice President for Public Interest Affairs. He will head the loan forgiveness committee and will have the responsibility for coordinating with the administration and alumni to pursue the other public interest issues that arise. This is the first time the SBA has had an executive position reserved for public interest issues and I hope that it will at least increase the importance we attach to that area.

Dan Dunn will become the new Treasurer and has already begun trying to decipher University and administration procedures for funding matters. The SBA is planning to convert all the records for its own accounts, and for the accounts of all the umbrella organizations, to computerized form. This, along with a stream-lined reimbursement procedure should improve (and expedite) that sometimes painful process we have had in the past.

Mariela Calleja will be the SBA Secretary and I am especially glad to have her with us. She was very enthusiastic in helping the old Board with a few projects and should be able to pursue many of the social interests she has with the new Board along with her duties as the Secretary.

While these administrative notes may not make very exciting reading, I cannot fail to give credit to those who will be the backbone of the new SBA. Much work, and much accomplishment lies in front of us and the credit for those victories should go to those who earn them.

Recent Accomplishments

The transition has not been mere orientation and appointments. Already we have undertaken several initiatives and have made progress towards the goals we have in common.

GWUSA Elections

As some of you may know, GWUSA Elections will be the 27th and 28th of this month. We will be electing a President, Vice President, Two NLC Senators, and one Graduate at Large Senator. These positions will be within the G.W.U. Student Association (SA) which is the student government of the entire University. This body not only makes policy and has influence over issues which concern us, but furnishes a significant portion of the SBA budget (from which all bar revues and donuts flow).

This year's election, however, got off to a rocky start when the Joint Elections Committee (JEC) failed to place an advertisement in *The Advocate* (as it has for the past several years). As a result, only one law student registered before the deadline for the two NLC Senator spots. Through extensive lobbying, a petition, and the appearance of over thirty students at a Thursday night hearing, we won a major victory in successfully requesting the JEC to re-open its registration for those two seats. As a result, several additional candidates have entered the race. This should spark an increased law student interest in the SA and create a lively debate among the many candidates.

While the SBA will not be endorsing any of the candidates for the NLC Senator spots, SBA endorsements will be forthcoming for the President, Executive Vice President, and Graduate at Large positions. Watch for the announcements at the beginning of this week and remember to vote on Tuesday and Wednesday.

Law Revue Party

Although by the time you read this it will all be over. Our new social chairman, Adam Hess, has been diligently following all the leads in putting together this year's party. His task was complicated this year by the fact that the Marvin Center (the usual site for the event) was unavailable. The Smith Center was also an impossibility. He found that the amount of money budgeted for the party would not be enough to cover the cost of taking the party off campus. As a result, the only option remain was to have the party at the NLC. While we hope the weather will help us out so that people can congregate outside (thus alleviating the congestion of the expected crowd)

Coffee and Donuts Anyone?

That perennial law school issue, coffee and donuts, has reared its ugly head again. A problem came up near the end of November when University Accounts Payable lost a pile of receipts the SBA had sent, causing the accounts to "bounce" with the coffee and donut vendors. It took a while for the old administration to straighten out the situation between the University and the vendors and we are finally back to a blank slate right now. We should begin to see Krispy Kreme donuts within a week or so and coffee within that same time frame.

Blood Drive

The Red Cross will hold their semiannual blood drive in the first floor lounge on Monday and Tuesday, the 5th and 6th of March. We will be posting signs, giving students to opportunity to volunteer soon. This is an important public service. Our contributions make a difference. Please give.

Computers

The construction in the room on the third floor across from the SBA office is in preparation for the new computer room. Thanks to a generous donation from Jacob Burns, we will have 18 IBM-compatible PCs along with laser printers. This equipment will be dedicated solely to student use. Although the rearrangement of student space that Dean Friedenthal will have some benefits and some drawbacks for students, this new addition is a much needed addition. We have been laboring over the existing computers for too long and the lack of a laser printer has made printing resumes difficult. This is a great new benefit the should do a little to make our stay here more pleasant.

In the coming weeks we will be sending letters to Mr. Burns to thank him for his contribution. Stay tuned for details.

End of the Year Party

The End of the Year Party is coming up sooner than you think. Last year's was good, but we have the sums budgeted to have a real blow out. If you have any ideas or suggestions, leave a note at the office for Adam Hess, who will be organizing this year's bash.

Go to page 12, col. 3

GWUSA Elections

President



Keith Pettigrew

Keith Pettigrew attended GW as an undergraduate, receiving a B.A. in 1987. He also received a Master's degree in 1989 from the Graduate School of Arts and Sciences. Keith is presently a 1L at the NLC. He has served as Vice President of the Black Peoples' Union and was a Special Assistant to the Vice-President of Academic Affairs. Keith was also the first recipient of the Martin Luther King, Jr. Award.

Vice President



Dave Parker

Dave Parker is also a 1L and former undergraduate of GW. He has been active in the Student Association Senate for quite some time and is currently a student representative to the University Board of Trustees and the Vice President for Judicial Affairs for the current S.A. administration.

Graduate Senator At Large



Paul Bieri

Paul Bieri is currently the Vice President for Public Interest Affairs with the SBA. He has been an active member of both the National Lawyer's Guild and the Equal Justice Foundation this past year.

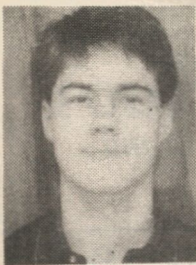
GWUSA Elections

Tuesday & Wednesday

1st Floor Lounge



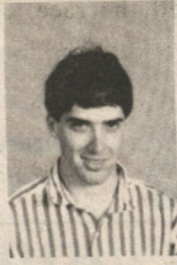
NLC Senators



Terry M. Duncan
1L

Among my primary objectives as NLC Senator, I plan to seek appointment to the Budget Committee to represent our financial interests. Also, I intend to improve communication between the NLC and the SA. To this end, I plan to report in each issue of *The Advocate*, including my voting record, relevant SA decisions and listings of events and opportunities available outside of the law school. In addition, important elections and applications deadlines will be posted throughout the NLC. Finally, I am promoting a proposal to keep the Smith Center open for student use during basketball games.

Although I am a 1L, I shall effectively represent the NLC's interests. And the experience I will gain will give me a greater chance to obtain a more effective SA position next year in which to serve the NLC.



John Goodwin
2L

Of the four candidates for NLC Senator, I am the only one with Senate experience. I currently serve as the At-Large Graduate Senator and I am the only professional school student holding a seat on the powerful Senate Rules Committee.

I will continue the accomplishments I have made on the Senate.

This year, I secured \$500 in additional funding for the Law School, but I'd like to see even greater allocations for the NLC in the future.

I will be at the forefront of the fight against tuition increases, hidden revenue devices, and law school under-representation in the Student Association.



Mitchell Mackler
2L

For those of you who have not heard of me, I am a 2L. I have experience heading large campus organizations and large businesses and I hope to apply this acumen to the position of Senator. The one thing I certainly am is vocal and I can promise you an effective and intelligent advocacy in the law school's best interest. I hope to develop and implement several communicative links between the NLC and the university of which it is a part. I promise an objective and attentive year and continual communication with the SBA and the student body. I look forward to securing University resources for the NLC in consideration of the substantial investment we all make.



Lisa Sotir
2L

Many of you know me as someone in perpetual motion and as someone who cares. As your Senator, I will use that energy and caring to bring the law school and the university closer together for the benefit of law students. After two years at the NLC, I've seen that our biggest problem is the gulf that exists between the two sides. It doesn't help us: the animosity has only caused the SBA to lose money and for law student concerns to be put last on a list. But I will work with SBA and the law student population to accomplish our common goals through the Student Association. I will advocate your concerns in the SA and inform you of what's going on there. Through cooperation and communication we can bridge this gulf and get what we need. What you must do first is vote. Thank you for your support.

SBA News

SBA Docket

The *SBA Docket* is a new feature, outlining issues under discussion, meetings, and upcoming events. When the *Docket* mentions an issue of interest to you, feel free to drop a note by the SBA office with your comments and suggestions.

Thursday, February 15

9:00 PM = JEC Appeal Hearing: to discuss the reopening of registration for NLC Senator seats in the upcoming GWUSA election.

Friday, February 16

12:00 PM = T. Baldwin, J. Lee, G. Roth, J. Wilson meeting with Dean Friedenthal to discuss the transition and other issues.

2:15 PM = T. Baldwin, J. Lee, G. Roth, J. Wilson, full faculty meeting.

Wednesday, February 21

7:00 PM = Graduate Student Forum to meet with executive candidates for the GWUSA election and to make endorsements.

9:00 PM = Transition meeting with the Old Board

Thursday, February 22

12:00 PM = Meeting with Ms. Claudia Osborne of Service America to discuss the coffee service and the possibility of obtaining a new coffee machine.

3:30 PM = Meeting with Representative from American Red Cross to discuss March 5-6 blood drive.

Saturday, February 24

5:30 PM = Setup for Law Revue Party in first floor lounge.
8:00 PM = Law Revue Show in Lisner Auditorium.

10:00 PM = Law Revue Party. SBA volunteers to host party and clean up afterwards.

Monday, February 26

3:00 PM = J. Wilson, J. Lee, D. Dunn, Deans Jenkins and Robinson, meeting to discuss current funding system.

Tuesday, February 27

9:00 AM - 9:00 PM = GWUSA Elections in First floor lounge.

5:00 PM = Deadline to pick up unsold books from SBA Booksale. Books not claimed will be disposed of.

8:00 PM = Board Meeting.

Wednesday, February 28

9:00 AM - 9:00 PM = GWUSA Elections in First floor lounge.

Monday - Tuesday, March 5-6
Red Cross Blood Drive

Wednesday, March 7

7:00 - 9:30 PM = George Calling Phonathon Day #1. Marvin Center. Volunteers needed to call alumni to solicit contributions to the general fund. Volunteers will be served a buffet dinner. Details available at the SBA office.

Friday, March 9

Deadline for 1991 Commencement Committee Applications

Spring Break Begins!

Wednesday, March 21

7:00 - 9:30 PM = George Calling Phonathon Day #2.

Friday, March 30

Pre-Orientation Weekend for prospective students.
5:00 - 7:00 PM = Alumni Law Firm Reception

8:00 - 11:00 PM = Party for accepted undergraduates, first floor lounge. All students encouraged to attend. Meet incoming 1Ls.

Saturday, March 31

Pre-Orientation Events

9:30 AM = Registration, Coffee and Donuts

10:00 AM = Welcoming remarks and comments

11:15 AM = Mock Class with Professor Schechter

12:30 - 1:30 PM = Luncheon Buffet on the Patio

1:30 PM = Small Group Tours. We need volunteers. Sign up in the SBA office.

2:00 PM = Meeting with Student Groups

GWUSA

Endorsements

The Student Bar Association is pleased to announce that it has endorsed Keith Pettigrew for President of the G.W.U. Student Association. The SBA has also endorsed Dave Parker for Executive Vice President and A. Paul Bieri for Graduate Senator at Large.

Scoop (Cont'd)

From Page 10

You Make the Call

At the center of the new SBA is the philosophy that things get done best when those responsible are those who care the most and those who devote the effort to accomplish the project. For that reason, your elected representatives are in the process of choosing projects for which they will be responsible over the coming SBA year. For example, Sharon Cohen (3L, ex officio), Steve Comstock (3L), and Manny Jiminez (2L) are the organizers

for the coming Pre-Orientation Weekend for accepted undergraduates. Watch the SBA bulletin board (3d floor, by the elevator), showing coming events and name the Rep in charge for the event. Direct your comments and suggestions to those Reps.

Consistent with this philosophy is our sincere desire to involve as many students as possible in SBA events. There are more than enough activities for every interested student to find a place in a responsible position for an SBA project in which he or she is interested. Don't let apathy take you hostage. Our accomplishments are only limited by ourselves.

Hey 2Ls!

**Applications for the 1991
Commencement Committee
are available in the SBA
Office.**

Deadline: Friday, March 9th.

Duties: Select commencement speaker, plan Capitol Hill Reception, plan parties.

Vote Keith Pettigrew for President

Vote Dave Parker for Vice Pres.

**Note: All books from
the SBA Booksale
not picked up by
5:00 p.m. on Tuesday
(2/27) will be thrown
away**

Law School News

1990 Financial Aid Forms Available

February and May 1990 NLC graduates who borrowed government loans while attending the Law Center are reminded to come to the Law School Financial Aid Office to have an **EXIT INTERVIEW**, as required by federal regulation. Each student receives a printout of the estimated repayments on all of his or her education loans. We also provide information on loan consolidation, deferments, and acceleration of loan payments.

We must complete the interview process by the middle of March. The interview itself takes approximately 15 minutes, and no appointment is required. Please stop in as soon as you can! If you cannot come between the hours of 9:00 a.m. and 5:30 p.m., please contact us (994-6592) to make other arrangements.

REMINDER: Now is the time,

to begin filing requests for NLC **FINANCIAL AID for the 1990-91 academic year**. Law Center aid consists of tuition grants and Perkins loans. Application forms may be obtained from the Law School Financial Aid Office, Room 101, Stockton Hall, from 9:00 a.m. - 5:30 p.m. If you cannot come during those hours, please call 994-6592 and materials can be placed in your file folder in the student lounge. **THE DEADLINE FOR SUBMITTING FINANCIAL AID REQUESTS IS APRIL 2, 1990.** Students requesting NLC aid are expected to borrow the full Stafford and SLS Loans. Additional materials required for Stafford, SLS, and other loan applications will be available in the Law School Financial Aid Office, 101 Stockton Hall, by April 16th.

Law Review / Journal Competition

All day 1Ls and evening 2Ls interested in competing for membership on the Law Review and the Journal of International Law and Economics should attend a meeting on Thursday, March 1st. Interested students can learn more about the competition and the publications at 4:00 in LL101 or 8:00 in L201. The publications' diversity plans will also be explained.

The competition itself consists of a closed memorandum. Both publications use the same problem, and students may compete for either or both publications. Applicants must

pick up a copy of the competition packet between noon and 9:00 on Friday, March 9th. Each Law Review competitor must submit his or her memorandum no later than 9:00 pm on Monday, March 12th. Applicants competing for Journal membership have additional time to submit the finished memorandum.

Last year, more than 300 students competed for membership. The editorial boards of both publications invite all eligible students to attend Thursday's meeting and to give serious consideration to participating in the competition.

EJF Summer Grants

Each year, through the EJF summer grant program, students at the National Law Center pledge money to support fellow classmates interested in working in the public sector. The program gives grants to several students each summer, thus subsidizing their work for public interest organizations and providing much needed assistance to these organizations which would otherwise be unable to afford to employ law students. The grant recipients gain invaluable experience in and exposure to public interest law. Last year's recipients worked in organizations such as the National Coalition for People with Aids, the American Civil Liberties Union, and the Public Defender's Service.

This year, EJF will be holding a pledge drive during the week of April 16th, and an auction on Thursday, April 5th, to raise funds for the grant program. Last year these activities generated over sixteen thousand dollars, and enabled nine NLC students to pay their rent while working in the public interest.

EJF summer grants are available to first and second year law students who plan to work for public interest organizations or government agencies for a minimum of ten weeks on a full-time basis. This year, the amount of the grant has been increased from \$2000 to \$2500. The permissible stipend which the student may receive from his or her employer, in addition to the EJF grant, has also been increased from \$1500 to \$2000.

Grant applications will be available in the EJF office on February 26th, and are due on April 12th. Applicants must submit a completed application form, a letter of certification from their employer stating the nature of the offer and describing the work that the student will be expected to perform, a copy of the student's resume and the employer's brochure or resume, and a pledge of \$30.00 for the summer grant program. In addition, grant applicants will be required to commit five hours of their time to assist in the pledge drive and auction preparations.

Congratulations Professor

Steinhardt On

Your Recent

Tenure Appointment!



PDP News

Phi Delta Phi Legal Fraternity has several undertakings for the spring:

District-wide Initiation will be held on March 23, 1990 from 7:00-9:00 p.m. in the House of Representatives, Rayburn Office Building, Room 365. It is near Capitol South Metro on the orange-blue lines. A reception will follow.

The Fifth Annual Ambulance Chase 5K run for charity will occur on March 24, 10:00 a.m. to 1:00 p.m., starting from the Jefferson Memorial. This year all proceeds collected from the NLC will benefit Miriam's Kitchen, a soup kitchen for the homeless just around the corner from school. Also, participants from Howard, American and George Mason will be running, so there will be actual competition. Entry fees and donations will be accepted at the booth in the first

floor lounge from now until March 9. All entrants will receive a t-shirt. And remember, the Carbo-Load Keg Happy Hour on March 23, also to benefit Miriam's Kitchen!!

The Potomac Cruise sails again on March 31st, 11:00 p.m. to 2:00 p.m. Tickets are on sale daily from 11:00 a.m. to 2:00 p.m. until March 8 in the first floor lounge. The cost is \$22.50 for PDP members and \$27.50 for non-members. The price includes an open bar, free food, a d.j. and dancing, and the opportunity to mingle with students from American University. As space is limited, buy your tickets soon.

Last, but not least, elections for the new executive board of PDP will be held on March 1 at 4:15 p.m. ALL members are requested to attend the general meeting so as to vote on next year's leadership.

New Moot Court Board Officers

The Moot Court Board is pleased to announce the election of the following officers:

President	Helene Schwartz
Vice-President Interscholastic Affairs	Gene Brantley
Vice-President Intrascholastic Affairs	Jonathan Rubin
Treasurer	Stephen Heyman

The new officers will assume their duties beginning March 9, 1990.

Law Revue Show

Law Revue Talent Unveiled

by Jennifer Tyler

On February 24, 1990, at Lisner Auditorium, 60 talented NLC law students performed in the twelfth annual Law Revue show. This year's theme was Little Shop of Lawyers, and from the introduction, which parodied the sometimes frustrating process of entering the library without an ID, the show continued in its annual tradition of making light of the everyday events of life at the NLC.



Above: Opening Act



Above: Powdered to Perfection

Similarly, work behind the scenes included fundraising, writing the skits and song lyrics, and publication of the program. Nonetheless, the contributors felt that the time spent was well worth it, and the audience seemed to agree.



Above: NLC's Most Dangerous Band



Above: Praise to Cast and Crew
Below: Silence and Controversy

After only five weeks of rehearsals deep in the recesses of Building K of GWU, the cast and production members of the show provided a very entertaining evening which included comedy skits, vocal performances and dance production numbers. The cast was polished enough that it was easy to forget all of the hard work that went into the show. Attendance at the dress rehearsal, however, demonstrated that each number included the meticulous coordination of lights, live music, dance steps, and vocals. Even the curtain call required practice.

Photo Credits: Renee Webb

Layout: David Sharpe
Phill Staub



Law Revue Show

All in all, the cast deserves a big thank you for all its work. Special thanks is due to executive director Delaine Swenson and producer Cydly Smith, whose tireless energy helped make the show a success.



Above: Big Production Number

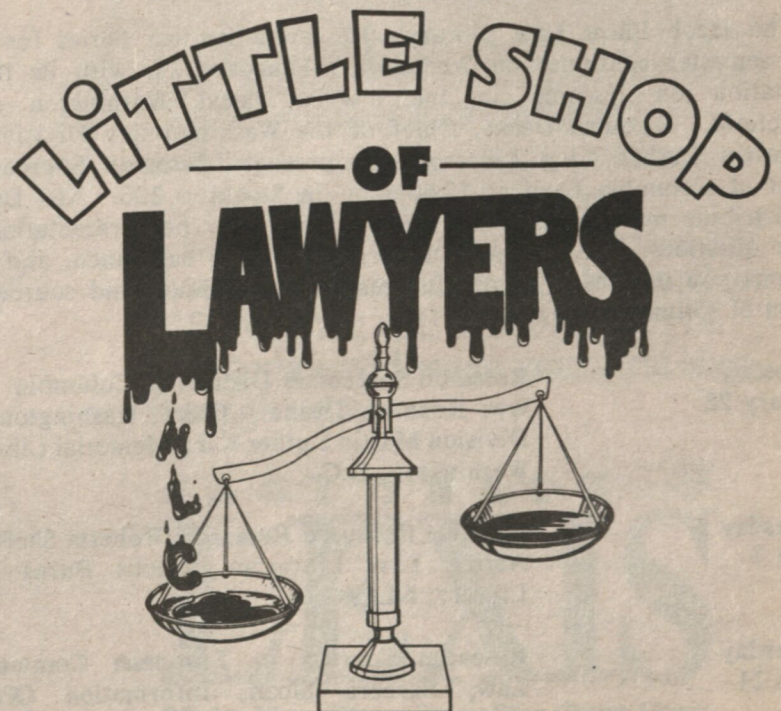
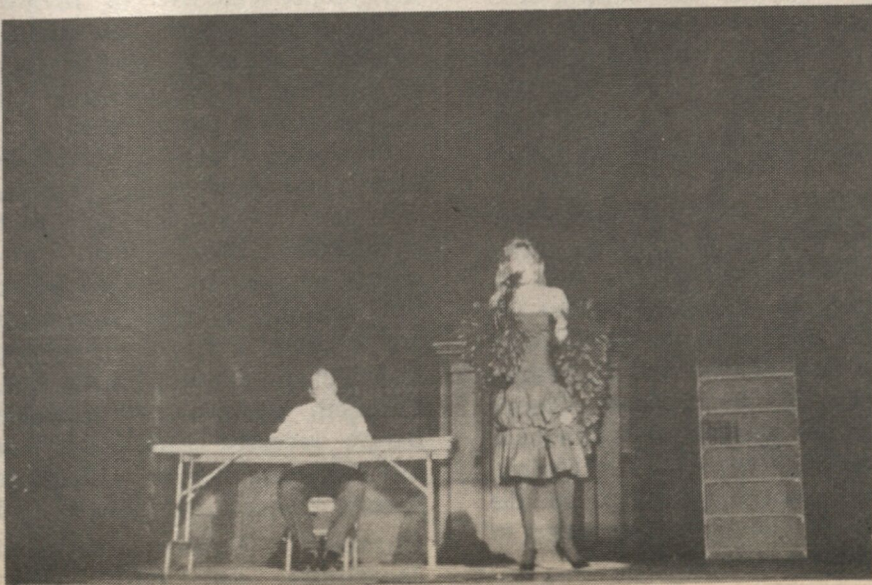
The production numbers were particularly impressive, as they demonstrated the dance and vocal talents of the cast. Standouts included Get a Job For Me, My Law School, and Dirty Lawyers. Another traditional highlight was the imitation of some of the NLC professors - this year's focus included professors Pock, Dienes, Seidelson, Craver, and Cheh. When asked how he felt about poking fun at professors, Tim Saunders, who played Craver, answered that he saw the professors as "public figures" within the law school, and that the show was in the vein of a Saturday Night Live type of satire. Beth Shapiro, vocal director, agreed that "the show is all in fun."



Above: Revenge of the Nerds
Below: Parting Shot



Above: Stuffed Shirts
Below: Black Dress Code



FEBRUARY 24, 1990

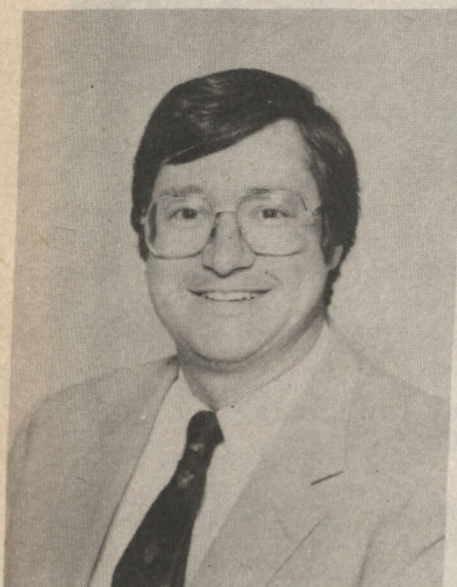
Law School News

Alumni Profile

by Dean Susan Medalie

Thomas (Tim) Cornell Means, J.D. '78, is a member of the Executive Committee of the George Washington Law Alumni Association, and serves as secretary of the GWLAA.

Tim is a partner in Crowell & Moring specializing in Litigation.



He is also a Mentor to Donna Russell, a first-year student from Andover, Massachusetts.

For Tim, graduating from law school and becoming partner in a major law firm was not a clear goal in his life. When Tim graduated from Dartmouth College in Hanover, New Hampshire, he went to Michigan Law School not really feeling that he knew what type of school he wanted to study at after college. After three months, he left Michigan

Law School and drove directly to Washington, D.C., where he participated in the 1969 Peace March. He moved to Colorado and worked in the social work field. In 1972, he took a research-lobbying job working for the Colorado State Association of Counties. Tim found himself working with state agencies and became very interested in administrative law.

In 1975, with a desire to learn more about public policy law, Tim entered the National Law Center. He wanted very much to be in the D.C. area and he wanted the intellectual environment the National Law Center offered. Tim loved his education at the law school, and found it a most exciting time. Tim graduated third in his class, while working on Capitol Hill, taking a summer job in a firm, and getting as much experience as he could in various types of offices. He advises all students to study hard, and take advantage of many different aspects of the law school experience, because no one can tell what they will really end up doing. For Tim, he found that working for a firm was what he loved doing.

Finally, for Tim, the National Law Center experience was special because he met his wife, Judith Means, J.D. '79, in Professor Starr's property class, and they were married in the law library. Judith works part-time in the Department of Commerce as an attorney Adviser and they are proud parents of two sons.

Research Seminars

The Jacob Burns Law Library's Research Seminar Series for the spring semester continues on Wednesday, February 28, with its third presentation on research in the law of local Washington area jurisdictions. Roxanna Deane, Chief of the Washingtonian Division at the Martin Luther King Library, will present "Research Sources in District of Columbia Law" at 12:00 p.m. in Stockton 306. Ms. Deane will distribute materials and will be available after her presentation to answer questions. Please come and bring a brown bag lunch, and any questions you may have concerning research techniques and sources in District of Columbia law.

Wednesday February 28	Research Sources in District of Columbia law; Roxanna Deane - Chief, Washingtonian Division Martin Luther King Memorial Library; Washington, D.C.
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Wednesday March 7	Business Resource Research; Roberta Shaffer-Acting Law Librarian, Jacobs Burns Law Library; NLC
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Wednesday March 21	Research Sources in European Community Law; Barbara Sloan, Information Officer European Community Information Center; Washington, D.C.
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All lectures are at 12:00 noon in Stockton 306.

Heyman/Legro Win Van Vleck

by Paul Borja

The team of Stephen Heyman and Catherine Legro, with family and friends watching, won the final round of the Van Vleck Moot Court competition on February 10, 1990, held in the Moot Court Room. Relying on the Equal Protection Clause and a federal statute which benefits the handicapped, Heyman and Legro competed against the team of Jonathan Rubin and Jeffrey Dupler in arguing that a prisoner should not be segregated or discriminated against solely because of an HIV infection. Heyman and Legro will each receive an engraved medal from the National Law Center and have their names added to the Van Vleck plaque hanging near the entrance to the Moot Court Room.

In spirited discussions punctuated by questions and humor from the bench, each of the participants argued their issue for more than twenty minutes. Questions raised by the three-judge panel, which was composed

entirely of federal judges, came almost immediately after the arguments began. Judges on the bench were Abner Mikva of the D.C. Circuit Court of Appeals, Joel Flaum of the Seventh Circuit Court of Appeals, and Thomas Jackson of the U.S. District Court in Washington, D.C. Judge Flaum arrived from Chicago primarily to judge at this competition.

Heyman-Legro and Dupler-Rubin advanced to the final round after successes in two preliminary rounds held in the fall and single-elimination quarterfinal and semifinal rounds held on January 26, 1990.

The Van Vleck competition is an upper-class appellate advocacy competition (Law 312) open to all students in the fall. Issues in the competition problem, which is written by the Moot Court Board, involve constitutional law and statutory construction. One credit is granted for completing the two preliminary rounds and a second credit is granted to those participants who advance to the quarterfinal round.



Heyman



Legro



Thornal



Barton

Thornal/Barton Win Giles Rich

by Paul Borja

Arguing against a claim for a patent on compasses installed in off-road vehicles by a vehicle manufacturer, the team of Donna Thornal and Eugenie Barton prevailed in the final round of the Giles Rich Intellectual Property Law Moot Court Competition held on February 10, 1990. Thornal and Barton, who argued against Lester Lee and Lewis Wallace, will represent the National Law Center in the regional round of the Giles Rich Competition in Boston on March 16.

Teams for the final round were selected based on scores after two preliminary rounds held on January 26, 1990, throughout the NLC. Judges at the final round were Paul Michel and H. Robert Mayer of the Federal Circuit Court of Appeals and Lawrence Margolis of the Court of Claims. Patent claims are heard in the Court of Claims and appealed to the Federal Circuit.

Questions from the bench were both friendly and furious at times as judges probed arguments raised by counsel. Prepared arguments quickly gave way to dialogue with the judges as participants responded to queries and comments while emphasizing the strength of their positions. Both Wallace and Barton were challenged by Judge Michel on the proper standard of review, while Judge Mayer questioned whether a claimant could in good faith refute a prior affidavit and thus preserve a patent claim.

During the judges' deliberations after more than twenty minutes of oral argument by each participant, awards were presented by the Moot Court Board for outstanding oral arguments and written briefs in the two preliminary rounds. Lewis Lee, Elizabeth Cowles, and Eugenie Barton received certificates for top oral arguments. Eugenie Barton, Kenneth Minesinger, and Elizabeth Cowles received certificates for top written briefs.

Law School News

Belva Lockwood Week

Judicial Panel on Family Law Issues

The Law Association for Women (LAW) will be sponsoring several events this week in honor of Belva Lockwood, an 1873 graduate of the National University Law School who also holds the honor of being the first woman to argue before the Supreme Court of the United States and the Court of Claims.

On Tuesday, February 27, a distinguished panel of judges from the D.C. Superior Court-Family Division will talk with students about issues in family and domestic law.

Judges Arthur Burnett, Eugene Hamilton, George Mitchell, and Peter Wolf will participate in a panel discussion moderated by Stephanie Ridder. The Panel will address neglect proceedings in the District of Columbia; problems with the foster care system; the status of the District's child support guidelines

and the effects of changes in the guidelines; sex bias in custody suits; spouse abuse cases; and any other significant or troubling trials involving family law issues that the judges wish to discuss.

Please join LAW and members of the legal community at 4:30 p.m. in the Moot Court Room.

Judith L. Lichtman, President, Women's Legal Defense Fund

On Wednesday, February 28, the Enrichment Program and the Law Association for Women present Judith L. Lichtman, President of the Women's Legal Defense Fund. Ms. Lichtman will be speaking on "Women and Leadership: In the Community and in the Profession." Judith Lichtman is well known for her leading role in trying to make the judicial system more responsive to the needs of women and minorities in Washington and throughout the country.

Organization Representatives Discuss Pro Bono Opportunities

Also on Wednesday, representatives from Ayuda, the Women's Legal Defense Fund, the National Women's Law Center, and the Georgetown Sex Discrimination Clinic will be sitting at tables outside the First Floor Lounge to talk with students who are interested in pro bono opportunities with organizations that address issues and problems of concern to women in the community. LAW encourages men and women who will remain in Washington, D.C., and who will be looking for ways in which to do pro bono work to consider opportunities with some of these organizations.

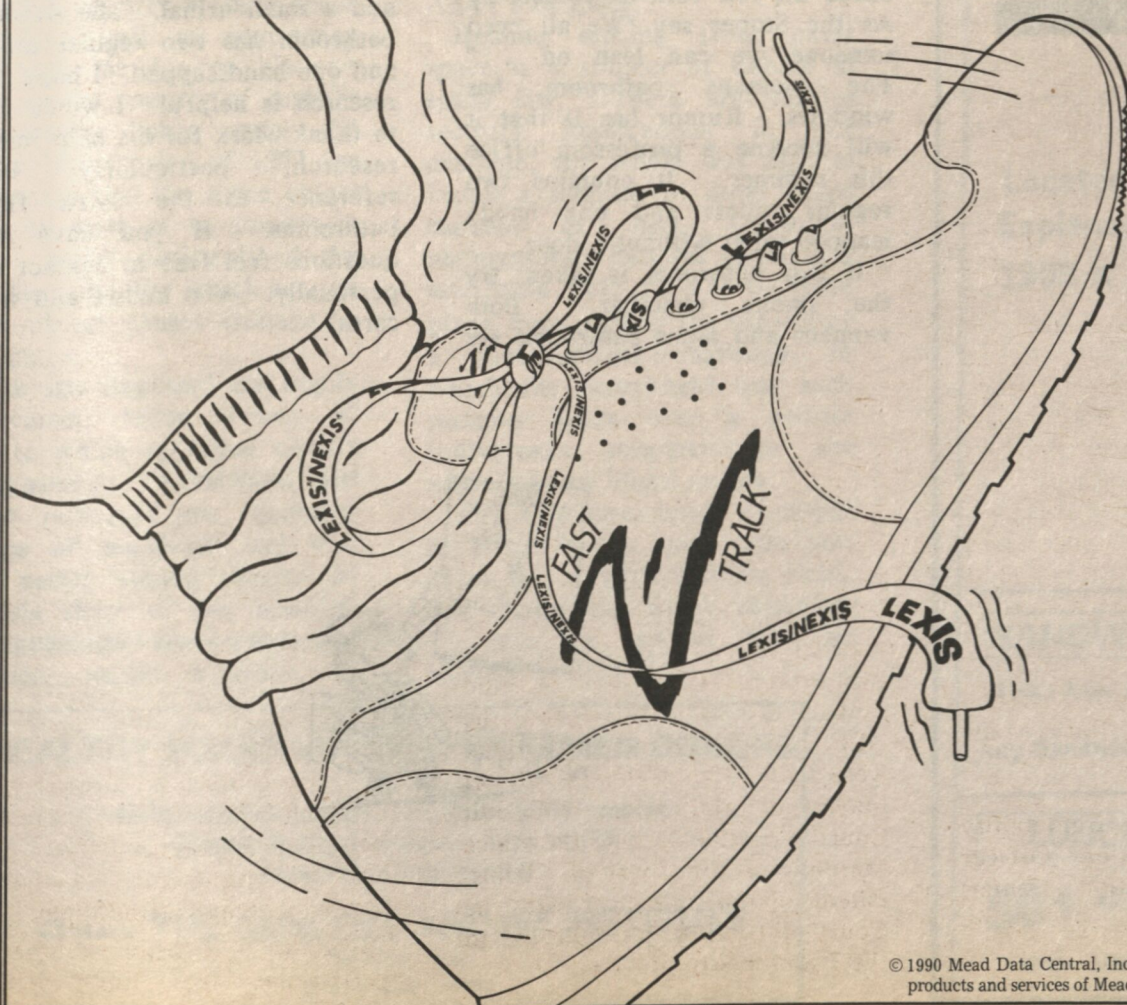
Please also take a few moments to view the display case across from the library circulation desk that contains historical and biographical information about Belva Lockwood, Judith Lichtman, and the family law judicial panelists.

Caps and Gowns

A factory representative from Jostens Cap and Gown Company will be in the lower level of the Marvin Center on Monday, February 26 from 10:00 to 6:00 to answer any questions that you may have concerning academic regalia. A wide variety of samples will be on display.

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Law School News

Professor Clark Returns

On Monday, March 5, Professor Barkley Clark will return to the law school to give an Enrichment Program. Professor Clark, who is currently on leave from the law school and is in private practice in Kansas, was one of the most popular professors in the law school. For three consecutive years, he won the teaching award from the graduating class of the

law school.

An expert in the field of banking law, Professor Clark will give a talk at 4:15 in Lerner 201 on "The Thrift Debacle: Causes and Solutions." He will discuss the origins of the current problems in the thrift industry, the congressional response and what lies ahead. A reception will follow in the faculty lounge.

Urinals (con't)

from page 3

blowers, you'll have to use toilet paper. This may be a reason why there is never enough toilet paper in that bathroom.

If the second floor bathroom is in use, you may have to venture down into the stacks; to be specific LL1. The bathrooms located in LL1 are the worst smelling and most despicable lavatories, (from the French word *laver*; to wash), in the school. As you get off the elevator, just follow your nose. The womens bathroom is located right next to the water fountain. It contains three toilets, one handicapped and two regular. The mens bathroom is located near the emergency exit. It contains two toilets, one handicapped and one regular plus three urinals.

If you don't like the library, try the third floor. You have two locations, one in the middle of Stockton, facing the quad, the other is located in Burns, next to the smoke chamber, outside the law review office and behind the T.V. set.

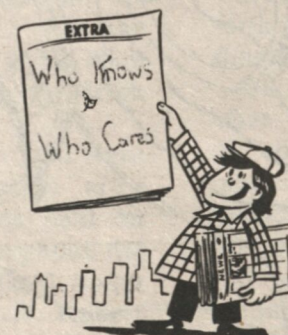
In the Stockton mens bathroom, there is only one handicapped toilet and four urinals. The urinal placement has to be explained. There is one regular and one small urinal next to the sinks and two regular urinals next to the door. The best thing about the placement of the urinals is that you and a friend can lean against each other's backs as you relieve yourselves. As the Stones say "We all need someone we can lean on. : ." The womens bathroom has windows. Rumor has it that it will become a professors office this summer. It contains two regular toilets and one handicapped toilet without a door.

If this bathroom is taken, try the smoke chamber. Both womens and mens bathrooms are


located near the water fountain. The mens bathroom has one urinal and one handicapped toilet, usually clogged. The urinal is strategically placed near the doorway so I can wave to passer byers with my right hand as I'm shaking off the last drops with my left. The womens bathroom contains one regular toilet and one handicapped toilet which is always leaking water.

If you want some exercise, walk up to the fourth floor Stockton bathrooms. They are located directly above the third floor Stockton bathrooms. The mens bathroom has one handicapped toilet with a contoured seat and one regular toilet along with one regular urinal and one small urinal separated by a partition so low you could straddle it, (that is if you want to urinals at once). The womens to use two urinals at once). The womens bathroom has one handicapped toilet and three regular toilets.

Believe it or not there are fifth floor bathrooms in Burns Hall. These are excellent bathrooms, hardly ever used and highly recommended by this researcher. Take the elevator, its the easiest way to find them. When you get out, take a right and then an immediate left. Both are located side by side. The mens bathroom has one handicapped toilet also with a contoured seat, one regular toilet and a small urinal. The womens bathroom has two regular toilets and one handicapped. I hope this research is helpful. I would like to thank Mark for his help in my research, particularly with reference to the third floor bathrooms. If you have any questions feel free to contact me personally. Who knows and who cares?



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Law School News

Smith Speaks On Space Law

by Lourdes Gonzales

Last Wednesday, the International Law Society hosted a discussion by Major Milton Smith, Chief of Air and Space Law for the U.S. Air Force, on "Law in Space".

Smith reviewed the major international treaties on space use and exploration, including the 1967 Outer Space Treaty which established broad and general principles on use of outer space. Smith noted three of the more important provisions of the treaty: that outer space is not amenable to claims of sovereignty; that nations are responsible and ultimately liable for outer space activities; and that outer space can only be used for peaceful purposes so that nuclear weapons and weapons of mass destruction are banned. In essence, aggression in outer space is not tolerated, though weapons can be used in self-defense.

Smith explained that if the Space Shuttle crashes into the U.S.S.R., the Soviets must take all steps possible to rescue the astronauts as well as take all practical steps to rescue the Shuttle, under the Agreement on Rescue and Return of Astronauts and Space Objects. It is possible to know who the space object belongs to because, as Smith noted, the Registration Convention requires all nations to maintain a registry of their space objects as well as registering them with the United Nations. However, the country of registry is absolutely liable under the Liability Convention of 1973 for any damage that the space object causes on earth or to aircraft in flight. Smith distinguished the lower fault liability which accrues if the object causes damage in outer space.

Smith also discussed the highly controversial Moon Treaty of 1979, to which no space powers are signatories. It declares that natural resources are "common heritage of mankind" and that every nation should receive an equitable share of the benefits. The signatories, lesser-developed countries, would establish an

international regime to govern exploitation and determine "equitable sharing". No country in the developed world has accepted the Moon Treaty.

Smith gave a brief overview of several highly controversial issues in space law. One of these issues is the United States' plan to build an SDI system in outer space, which would be able to destroy Soviet missiles with lasers. Article 5 of the ABM treaty is one hurdle for the implementation of SDI, since it prohibits the development, testing or deployment ABM systems or components. There are disagreements over where to draw the line between research and development, with the U.S. position being that the U.S. can do everything but field test a prototype. Another issue according to Smith is defining "component". The American viewpoint is that a component is a launcher, missile or radar, or some other device substituting for any of the above. However, it is unclear if for example, a mirror tested in outer space would be a component.

The U.S. is also concerned over anti-satellite devices (ASAT's) in outer space, which work on the same principles as a shotgun discharging pellets. According to Smith, the U.S. believes that the Soviets have had operational ASATs since the early 1970's, but the U.S. does not have any ASAT's in space.

Remote sensing from outer space is a subject of debate in space law. There are various security implications if, for example, the media was able to install a satellite in outer space capable of high resolution photographs. Pictures taken of a marijuana field by a low-flying plane were already the subject of a constitutional challenge, in which the court held that such pictures taken over a private individual's property do not amount to an illegal search.

The numerous issues discussed by Major Smith made clear that space law is a burgeoning field, full of options worth exploring by any law student with an interest in field.

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Commentary

The Party's Over

by Bob Stein

My last article described Gorbachev as a person who does not himself make history. I wrote that his importance derives from his willingness to allow others to make history. That is no longer true.

Gorbachev has begun the 1990's with one of the boldest political maneuvers of the century. He has instigated the withering away of the Communist Party. The events of last week began with a rumor that he might quit the post of General Secretary yet retain power through the new government position of President. The ramifications implicit in this concept undercut the fundamental principle behind every totalitarian dictatorship: that power lies with a political party, not the government itself.

To rule without the use of the Party, Gorbachev had to have been willing to transfer power from the Party and/or allow the Party to be weakened by the existence of rivals. He allowed

the first mass anti-Party demonstration since the Bolshevik Coup in 1917 to signal his Stalinist opposition that the public was on his side. The knowledge that people were willing to take to the streets in defense of the course that Gorbachev had set chilled the willingness of his opposition to attempt a takeover.

One month ago Gorbachev was making the classic blunders of a reformer. Reformers believe they can prevent cataclysmic social upheaval, in the form of a revolution from below, by granting a modicum of change from above. What often happens is that the mild breeze of freedom felt by a long imprisoned people leads to greater discord than the reforms were meant to prevent. Events in Eastern Europe, the Baltic, and the Southern Republics evidenced that Gorbachev had failed to learn from the reformers of the past. Now it appears as if piecemeal reforms were intended by Gorbachev not as a means to

elude upheaval but to foment a greater thirst for change, which he had every desire of quenching. This is not to say that Gorbachev desires capitalism and western democracy. But a move in that direction is now probable. When the leader of the Soviet Union openly speaks of recognizing private property, it is time for even this right-winger to admit that Gorbachev is unlike any of his predecessors.

Right On

Gorbachev may demonstrate that two beliefs, which I have until recently held, are incorrect. First, communist totalitarian dictatorships can reform themselves. Second, containment can work. The right-wing has always asserted that the only way to rid a nation of communism is by force of arms. On most occasions that is the only successful method. But, as events in the Soviet Union demonstrate, it is possible, even though unlikely, that a revolution from above can transform a communist society into one which accepts pluralism and private enterprise.

Gorbachev's gestures have as their greatest impetus the improvement of the Soviet economy. Marxism has shown in practice that is as inane as it is in theory. After World War II, George Kennan opined such a society could not last, that it would effectively implode from the weight of idiocy of its operation. He was right. That does not mean that containment

is the best method to fight communism. It merely demonstrates that in circumstances it may work.

Only time will tell whether the promise currently held out by Gorbachev will bring democracy and capitalism to the Soviet Union. But for the first time in history the best chance of that happening is contingent upon the current Soviet leader staying in power. Until Gorbachev slows the momentum of his revolution, what is in his interests will often be in our interests.

This does not mean that the United States should send economic aid or sign a strategic arms limitation treaty. The first would merely make it easier to avoid capitalism, the only answer to their economic turmoil. The second could be abrogated by any successors to Gorbachev who do not share his desires or ability. What can be done is to tear down barriers to non-technological free-trade and to offer to move our troops out of western Europe if the Soviets leave the East. Once such a troop movement is complete, the nations of the east could fully realize the goal of national independence. The Soviets would not be able to move troops back into these regions without invading an independent people willing to resist their encroachment with World War III.

I once criticized President Bush as being too susceptible to "Gorbo-mania." Until now, I never realized how easy it is to catch it.

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Sports

Tyson Will Lose Again

by Bob Stein

February 10 was no fluke. "Iron" Mike Tyson was whipped. James "Buster" Douglas did not emerge victorious due to the fortuity of one lucky punch. He continuously threw combinations. He tangled Tyson's hulking arms every time the champion came close enough to work the challenger's body. He made Tyson lunge and miss. Douglas made Tyson appear as inexperienced as he is. When the referee waived his arms at 1:23 of the 10th round, Tyson, barely able to stand, with his left eye swollen shut, and his mouthpiece dangling backwards, was introduced to a new phase of his career: losing.

A number of modern fighters have been considered invincible. Liston, Frazier, and Foreman were all punchers who were believed to be unbeatable before they were dethroned by knock-outs. Liston was a prohibitive favorite in both his first fight and his rematch against Cassius Clay. In the former he failed to answer the bell in the middle rounds. In the latter he was knocked out in the first round.

Joe Frazier stepped into the ring against George Foreman with a perfect record and the knock down and defeat of Muhammad Ali fresh in his memory. Foreman pummelled Frazier. He introduced Frazier to the canvas in the first round. "Smokin' Joe" liked his new acquaintance so much that he met it five more times in the first two rounds before the referee halted the beating. The mantle of invincibility was thus passed to George Foreman who could only muster the skill to defend his throne three times. Again it was Muhammad Ali who did the impossible by defeating the seemingly unbeatable. After tasting the bitterness of defeat none of these champions were able to regain their belts.

"Buster" Douglas is not a great fighter. A boxer who has lost to Jesse Ferguson and David Bey should make sure he gets as much out of his reign as possible. It is likely that his preeminence will not last long. My opinion is that he should take the biggest

"Buster" Douglas is not a great fighter. A boxer who has lost to Jesse Ferguson and David Bey should make sure he gets as much out of his reign as possible. It is likely that his preeminence will not last long. My opinion is that he should take the biggest money fight he is offered.

Obviously that would be against Tyson. Yet there are a number of reasons why Tyson will lose again.

Tyson lacks an effective trainer. Since he forced Kevin Rooney out of his camp he has fought three times. Frank Bruno wobbled him for the first time in his career. He knocked out glass-jawed Carl "The Truth" Williams before the challenger was able to demonstrate the withering of Tyson's skills. Next Tyson was knocked out.

Tyson was hit by more power



punches in his matches against both Bruno and Douglas than he had been hit in his first thirty-five fights combined. Without Rooney Tyson has lost touch with the Cus D'Amato style of fighting which is perfectly suited to a puncher with his physical attributes. He no longer bends from the knees in order to power his punches with his legs and hips. He no longer easily glides under the jabs thrown by taller fighters who out-reach him.

Rooney provided not only tactics but also the experience necessary to convince a grown man that he must focus all of his energies on the defeat of his next opponent. Tyson no longer works out as in his rise to the top. He reportedly abuses alcohol, takes off from training camp for days at a time, and refused to control his weight until he must lose thirty pounds in a matter of weeks. These are characteristics of older fighters who are going soft, not younger brawlers reaching their prime. Against Douglas, his lack of hard work was evidenced by his quickness to tire, inability to throw combinations, and diminishment in leg size.

Tyson needs to tell Aaron Snowell and Jay Bright, his amateur trainers, that friendship is not enough. He needs someone he can respect. The inexperience of his corner was never more apparent than when

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Sports With Springy

By Mark Spring

The NBA has really been making me very angry lately. First, they prohibit the Magic Johnson - Michael Jordan 1-on-1 for a million dollars. This could have been a phenomenal event. I can't comprehend any legitimate reason why the league would even want to prohibit it. If anything it would only peak interest in the NBA.

If the Lakers or the Bulls were afraid of their player getting injured and the player had a no-outside-competition clause in their contract, it would be another story. But this is the NBA Commissioner's Office exercising the veto - Bad move #1 Dave.

Perhaps an even more ridiculous move was the NBA forcing Charles Barkley to play in the All-Star Game. I mean why didn't they just make Michael Jordan participate in the slam dunk contest. Or better yet why didn't they just force Dale Ellis to come out for the 3-point contest, punctured lung and all.

Barkley said he was hurting and didn't want to risk further injury. That's his right. The All-Star Game was never mandatory, as far as I know. Bad move #2 Dave -- David Stern, my runaway choice for February's Boo of the Month.

I think a great injustice was done when Terry Cummings was not selected to the West squad for the All-Star game. Here's a guy who is scoring 22.5 points a game, averaging almost 8 boards a game, and leading his team to the greatest turnaround in NBA history. A.C. Green's being selected by the fans is a joke. Let the players do the voting from now on.

While were still on All-Star weekend, I thought the slam dunk competition was basically unexciting. Other than Kenny Smith's through the legs - off the backboard - 180 degree reverse jam, no dunks received a 10 on my scorecard. Some people say that there are only so many dunks and the avenue for originality is closed. Well, how come I didn't see anybody dunking over a row of seated spectators, or using a trampoline to perform the back-flip dunk.

If the dunk competition continues to be so dull, the NBA should consider new promotional stunts - i.e. Manute Bol vs. Mark Eaton 1-on-1, or better yet Manute vs. Mugsy Bogues.

Let me offer you my perspective on the Tyson-Douglas Fight. Tyson's loss only proves that Rocky Marciano was the greatest heavyweight that ever lived [note: for more on this controversy, rent the movie "Coming to America"]. Marciano retired as the undefeated heavyweight champion, a feat Tyson will never



be able to attain. I think Tyson's loss is a positive thing for the heavyweight division though, adding an aura of intrigue that hasn't existed since Ali, Frazier and Norton were in their prime.

The baseball lockout is an insult to the American fan. The average player's salary is over half-a-million dollars. Ten players now make over three million a year. The owners combined incomes in recent years could eliminate the federal deficit.

The lockout is a result of old fashioned American greed, and its the fans who are getting ripped off. I think that someone who has great influence on the public and enough time and resources should organize a fans strike, whereby all fans boycott baseball for a week so the players and the owners realize that they're not the only characters in this drama.

Before I go I'd like to wish a belated Happy Valentine's Day to Ernie Shavers, Victor Galindez and Vito Antefermo.

IM Update

The deadline for intramural softball entry forms is March 22. Get your teams organized before Spring Break.



Sports

IM Hoops

By Stephen Comstock and Mark Spring

Woodies (2-1), a 1L team led by captain Mark Levine, has had two exciting games. After winning their first game by a forfeit, they went on to beat Death Squad by only one point, 44-43. Their last game was a disappointing 5 point loss to Road Kill in a hard fought 42-37 battle. Sparked by Jeff Rosenstein and supported by a team made up of Sandy Hoag, Gary Bunce, Jesse Sheffet and Bill Butler, this team has a great chance to make the playoffs.

The Inbreds (0-3) are not quite in the same position. Joe Birkenstock's 1L team faced a tough Death Squad team in its first game and lost 44-28. The next two game were much closer, though. They lost by three against a pesky Invaders team and then suffered a heartbreaking loss to Well Hung Jury in a one point overtime defeat of 53-52. The power rebounding of Mark Druckman or the shot of Spencer Aldridge were not enough to pull out the victory.

Well Hung Jury (2-1) is on a roll. They suffered a disappoint-

ing forfeit in their first game due to excessive nitpicking of the rules by the IM office but have rebounded quite well. Patrick Ronan's team, which includes 2L's Kevin Fitzgerald, Greg Bell and John Sullivan, has relied on good team work and tenacity to win their last two. Their second game they won by four points (42-36) and their last, a one point squeaker in overtime against The Inbreds, saw them come from seven points down to get the victory.

Last Chance (2-0) has been dominating in their first two contests, winning both through use of the 30-point blowout rule. In their first game, they defeated Basketcase 50-20. Mark Siegel led the way registering double figures in both points and rebounds. In their second game Last Chance stymied Penil Code 39-9 with a relentless trapping defense. Super-quick guards Steve Teplitz and Paul Ziebert pressured the Code's ballhandlers, forcing a multitude of turnovers and subsequent fast break baskets.

Death Squad (2-1), a 2L team, opened its season with an impressive 15 point victory

against The Inbreds. The team was led by the offensive play of lefthanded pointguard Aaron Max and 2-guard Eric Cohen. A fine performance was also turned in by forwards Vipal Patel, Alan Anderson and David Treese.

The following week, Death



Squad lost a heartbreaker to the 1L squad, Woodies. With 8 minutes to play, Mark Galis and Lee Weiss spirited a furious comeback that cut Woodies 16 point lead to 3 with only 4 seconds left. Unfortunately the Intramural league has failed to adopt the 3-point rule, and Death Squad ended up losing the game by one point.

Finally, in their third game, the Death Squad defeated the Invaders. The Death Squad took an early lead and never looked back. Team captain Barry

Ritholz lead the way offensively and off the boards. Defensive-whiz Doug Zelt, Steve Heyman and Richard Simring also contributed to the victory.

Penil Code (0-3) looks like they will be in for a very long season. The team has failed to generate any offense in any of its games. The Code was blown out by Penetrate and Shoot 40-10 in their first game and were just as pitiful in their 39-9 shellacking by Last Chance a week later. In their third game, the Code was a bit more respectable losing to Basketcase 31-18. The lone bright spot for this team has been the successful return of Rich Friedman from injured reserve (Friedman sat out last season after breaking his nose in the first game when he dove head-first into the gym wall). Friedman led the Code in scoring in all three of their games.

Basketcase (2-1), a 2L team, has had a very interesting season so far. In their first game they were totally dominated by Last Chance 50-20. Basketcase looked totally out of sync in this game, perhaps due to the absence of their coach, Gary Cole. Cole, who played for DC Law last season, injured his back in a preseason weightlifting accident and has been relegated to coaching duties this season. The Basketcase players have dedicated

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Tyson (Cont'd)

From Page 21

they forgot to bring to the Douglas fight any device other than an ice-bag to reduce the swelling of his bruises. Luckily Tyson did not receive any cuts. They probably would have tried to kiss it to make it better.

Tyson's next fight against Douglas will be the most important of his career. If he wins he may proceed to continue along the path of greatness as did Joe Louis once he avenged his knockout by Max Schmelling. If he loses he will have demonstrated his inability to overcome adversity. He has already decided against making a change in his corner. The only other changes he can make are in his attitude. I doubt he can do that while he looks to Don King for advice. He may enter the ring for Tyson-Douglas II in as good shape as he has ever been, but unless he reverts back to the Cus D'Amato style which marked his ascendancy there is no reason why a dedicated "Buster" Douglas should not knock him out again.

IM Soccer

By Mark Spring

The NLC only has one team participating in Intramural Soccer, The Machine. The Machine defeated Mr. Ed, a med school team 4-2 in their first game. Led by team captain Henry Karp, who was a standout player in his younger years, The Machine is a very offensive-minded squad. Martin Schultz led the way in the first game, netting two goals. Former Brown University star Tom Burke and Sov Berman tallied the other scores. Goalie Kevin Peska, who never before played soccer in his life, made some outstanding saves.

Unfortunately for The Machine, the intramural office may force the team to forfeit its victory because it had too many players on its roster. Intramural rules restrict soccer rosters to 10 players and the addition of Martin Schultz to the team gave The Machine eleven players. More on this controversy in the next issue.

Law School News

National Lawyers Guild Symposium

by Paul Bieri

On February 10, the National Lawyers Guild chapters of five area law schools (American, Catholic, District of Columbia, Georgetown, and George Washington) held a symposium on practicing law in the 90's. Held at the recently opened District of Columbia School of Law (a.k.a. DCLAW), over seventy-five students, professors, and lawyers gathered to listen and discuss how, why, and where to practice law in the upcoming years.

The tone of the day's sessions was set by Edgar Cahn, Professor of Law at DCLAW, co-founder of Antioch School of Law and the Legal Services Corporation. Cahn's opening address challenged all those present to be active, to be a voice for a new commitment to values and social change, and not to accept neutrality and comfort. Stating that a greater degree of class stratification exists today than we have ever

seen before, Cahn said we need to protect the rights of all-- the rights to consume, the rights to share, and the rights to power. We need to help each other, and to teach others to help each other.

As we moved to the first panel of lawyers, we were reminded that lawyers are servers. In whose service are you going to be? After getting straight A's from Nursery School till now, how are you going to use this wonderful liberal arts education? Do you want to become a handmaiden for thirty years to a corporate law firm? Or do you want to make a change in society, to serve individuals instead of the system? You can do that in public interest work. There you can have the satisfaction of doing something for someone, and feed good about it.

Throughout the day's discussions, it was repeated many times that you can work for a private firm or government

agency and still be a progressive lawyer. This can be done by using your own time to work on issues, taking cases pro bono (and using vacation/comp time to go to court? Heavens!), or just trying to interject a human perspective into the work you do -- thing about how the little guy is going to be affected and try to consider them in your decisions.

Other panels included discussions on immigration and international law, civil rights, criminal law, and prisoner's rights. The panelists represented such diverse groups as the Central America Refugee Center, D.C. Prisoner's Legal Services, the AFL-CIO labor union, and the Director of the National Conference of Black Lawyers.

While the day got off to a slow start due to the rain, people were willing to stay on and talk long into the afternoon. Many people stayed to watch a presentation of NLG's video

"Justice is a Constant Struggle." Many of us made new friends. We thought the event was a success and plan to do it again next year.

DCLAW has invited us all back again next month. On Thursday, March 1st, it will be hosting a public interest program called "The Violation of Constitutional Rights: The Case of Leonard Peltier." The program includes: a discussion by nationally recognized attorneys William Kunstler and Bruce Ellison held from 12:30-2:00 p.m. in Room 102; a reception in honor of the speakers from 5:30-7:00 p.m.; and a public forum focusing on the important legal and political issues in the Leonard Peltier case and the treatment of Native Americans from 7:00-9:00 p.m. Everyone is welcome. The DC School of Law is at 719 13th Street, N.W., right at the Metro Center subway stop.

Hope to see you there.

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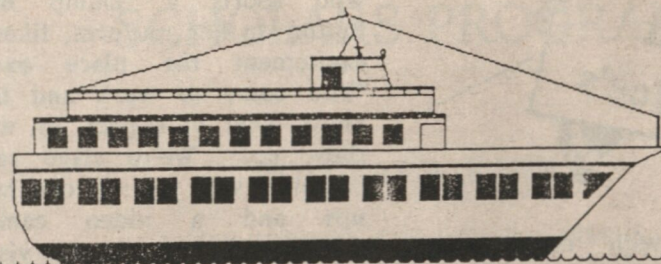
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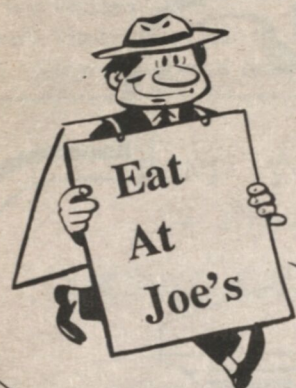
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Food Eats

Hip Times At The Hard Rock

by Joe Nicholson

While Bob Slade and other regular readers of this column know my aversion to that distinctly American disease called the chain restaurant, I make an exception for this week's episode. Newly opened at 9th and E Streets, N.W., the Hard Rock Cafe, which many of you no doubt know from travels to London, Stockholm, Tokyo, Acapulco, etc., has finally arrived in Washington. The owners might dispute the ill-sounding label "chain," and certainly the capitalistic disease in this case has not reached epidemic proportions as found in say, a Chi-Chi's or a Bennigan's, but it is true that there are now over a dozen Hard Rocks, with one soon to be opened in Orlando, Florida signalling its triumphant arrival to the bourgeoisie. Nevertheless, it is still very cool under the proper conditions (i.e., you don't want to stand in line for an hour or two on a Saturday night with several hundred yuppies and tourists waiting to get in).



I arrived with my guest, Jezebel, around 9:30 on a Thursday evening. We had timed it pretty well, since the first wave of dinner guests was trickling out and more interesting folks were coming in. Though fairly crowded, there was no wait for a good table. The main attraction - loud, timeless, memory-riddled rock 'n roll-kept up an atmosphere of excitement throughout the evening.

For those whose only knowledge of the Hard Rock Cafe is the T-shirt (which itself did a booming business throughout the 1980's), the place originated in London on June 14th, 1971. It features - in addition to non-stop great music - lots of memorabilia from that glitziest of industries. For example, here in D.C. the walls of the restaurant are adorned with such collectibles as Michael and Janet Jackson stage outfits (not identical!), some Pete Townsend duds, and a

wide assortment of musical instruments from various bands.

Jezebel ordered some wine and became nostalgic - partly, I think, because a young Billy Joel was singing at that moment. I ordered a Bass Ale and we looked over the menu.

The Hard Rock Cafe offers a brilliant selection of food, from popular appetizers like Nachos and Crab Soup to a wide selection of salads, sandwiches, burgers and full blown dinners. There must be an army of chefs in the kitchen, since the menu is huge. Jezebel insisted on Buffalo Wings to start, then ordered a "catch of the day" trout.

I was taken in by a menu entry which shouted "If You've Been To The Hard Rock and Haven't Had a Pig Sandwich, Then You Haven't Been To The Hard Rock!!" What could I say, that was me all right. The pig sandwich, as you might imagine, is pork, shredded, hickory-smoked and served up with fries and beans.

Our waitress, the very charming Jennie from Akron, Ohio, pulled up a chair and told us that the place opened January 1st and that on weekends the line to get in wraps around the block. Last week Grace Jones dropped by one night, very late. Jennie, who sports a "Dump Barry" button on her uniform, likes the excitement the place exudes. "You come to work and never know what to expect, or who'll show up. We're stage ready, complete with microphone hook-ups and a video camera." Apparently, well-known visitors can get up, grab a ge-tar off the wall and start jammin' if they feel the urge. (This does not mean *you*, Lee Atwater. The management *does* want guests to maintain an appetite.)

This Thursday night, several tables of birthday celebrants were partying it up big time. The staff does a good job making that a memorable experience, handing out Hard Rock balloons and directing the obligatory birthday song.

The Buffalo Wings arrived and proved to be great, "though not quite as perfect as those found at the Akron Ground Round," declared Jennie, who thereupon received the "Most Honest Waitress Award" for February.

I had another beer and headed for the men's room. While normally I leave such details out of this column, the Hard Rock john deserves special mention. I expected cleanliness, to be sure, but this place goes the extra step

and puts classy stuff in there, like stuff found at a pricy health club. I mean, there's an array of rejuvenating toiletries from hair spray to saline solution at your disposal. Even Alka Seltzer. Nice touch.

Back at the table, Jezebel pointed out a group of surviving native Americans, one of whom wore a funky green and red headress atop his head. This caused me to toast the late Sitting Bull and to glance around at some of the evening's other Hard Rockers. I noticed, in particular, a Cleopatra look-alike, complete with short-cropped hair and flashy jewels. She later came down with a serious case of twitching, blinking and gyrating when a Jackson Five set began to boom out of the many hidden speakers.

The pig sandwich arrived enormous. It was very delicious and I sort of "pigged out" as it were. I also liked the fries, which came with their skin still intact. Jezebel went at the trout like it might flip off the plate, so I guess it was good too.

The Hard Rock Cafe fills a big space. The main floor has a large seating area and an

elevated bar area. Surrounding all of that is a balcony that has more tables and a second bar. It's worth taking a drink in hand and strolling around just to look at the cool stuff on the walls.

The dessert menu compiles a laundry list of everything you should stay away from. I ordered, on Jennie's thoughtful advice, an "outrageous hot fudge brownie," which was every bit as decadent as it sounds and I recommend it heartily. Jezebel contemplated ordering a root beer float, but opted for coffee with sambuca instead.

Open seven days a week, the Hard Rock serves lunch and dinner. You can also rent out the balcony or the entire place for special events. (Are you paying attention, SBA bar-review planners?)

To sum up, the Hard Rock Cafe gets high marks. I recommend it especially if you've never been to one before. While not inexpensive (burgers run about \$7, beers about \$3 and a pig sandwich \$8), it is not really too costly considering D.C. prices generally. Most importantly, a good time is virtually unavoidable.

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Entertainment

Kirsten's Korner

by Kirsten Hughes

Nightbreed

0

This movie is terrible. Do not go to see it.

Revenge

**

Revenge stars Kevin Costner as a retired pilot who goes down to Mexico to visit an old friend, Anthony Quinn. While in Mexico, Costner finds his friend's wife, Madeleine Stowe, a bit too attractive. Costner and Stowe promptly sneak away for a romantic weekend at a secluded cabin. Surprise! Quinn finds out about it and is not happy. What follows is a no-holds-barred quest for revenge - thus, the title of the film.

While not working with the most original idea possible, *Revenge* is a fairly good movie. It has its share of sex and violence, set against sprawling Mexican villas and rocky beaches with pounding surf. Costner plays Jay Cochran, a pilot who heads to Mexico for a much-needed vacation. Cochran is a tough guy, something everyone in this movie seems to be. He can take care of himself. Costner is appropriately case, and gives an adequate performance. This is not a challenging role. It requires strutting around in a macho fashion and reciting some dialogue now and then. Costner does all of this. While he does

not display a wellspring of dramatic ability, Costner does display some appealing shots of his anatomy and this alone may be enough for some viewers. (Editor's note: Any shot of Costner's chest is enough reason for at least one of the Editors-in-Chief to see any movie!)

Anthony Quinn plays Tibi, Cochran's old friend who presides over his criminal empire with an iron fist. (Tibi is short for something, but I'm not certain what.) Tibi believes everyone, including his wife, has a place and they must be kept in it. Quinn is the stereotypical Godfather. Not a very likable sort, one finds oneself eagerly anticipating his demise.

Madeleine Stowe, who plays Quinn's wife, is a relatively unknown actress. While her performance is not bad, this is not the vehicle which could launch Stowe into stardom. She plays the victim in all of this. The young, pretty wife married to her father's friend, she innocently falls in love with Cochran. While one can sympathize with her plight, one cannot help but wonder at her stupidity in pursuing this affair. Surely she knows that her husband will not approve! (We're talking about a man who kills people at his dinner parties.)

Revenge is no doubt entertaining to fans of Kevin Costner, but those who do not fit in the aforementioned category may find the movie a bit lacking in originality and interest.

IM Hoops (Cont'd)

From Page 22

their season to Coach Cole and his absence seemed to really hurt the motivation of the squad in their first contest.

In their second game, *Basketcase* defeated the *Sharpshooters* 35-31. The turning point of the game occurred in the second half when Mark Martines faked his free throw attempt drawing the opposing team into the lane. The referees failed to call a technical foul and Martines's strategic ploy seemed to ignite his team. The *Sharpshooters* hung tough, however, and it took four key free throws by Alan "A.J." Joseph to ice the game for *Basketcase*. It should be noted that *Basketcase* forward Larry Kempner injured his hand in a preseason dish washing accident and was forced to miss the team's first two games.

In their third game, *Basketcase* defeated *Penil Code* 31-18. Down at halftime, 12-11, Coach Cole lambasted his squad at halftime,

and opened up the second half with a man-to-man full court press. *Penil Code*, playing without their best ballhandler, point guard Joe Mendelsohn, couldn't handle the pressure and *Basketcase* went on to a fairly easy victory.

Penetrate and Shoot (3-0), a veteran 3L team looks like they may be the best law school squad this season. Led by the inside play of team captain Billy Cooper and 2L draftee "Louisiana" Mike Hodgkins, and the outside shooting of Greg McConnell and Ross Cooper, *P & S* has defeated all three of its opponents by over 20 points. Experience is a big advantage for *P & S*. Not only has the team been playing together for three IM seasons, but this winter the team is also participating in the very competitive Arlington County Men's League, in which they boast a .500 record.

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